



Secretary (SA),
Himachal Pradesh.

GW-500

राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 22] शिमला, शनिवार, 28 दिसम्बर, 1974/7 पौष, 1896 [संख्या 52

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—	अनुपूरक	2264—2267

28 दिसम्बर, 1974/7 पौष, 1896 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'सामान्य राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:-

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 1-7/73-Panch., dated the 20th December, 1974.	Panchayati Raj Department	Delegation of powers under section 53 in respect of the cases under section 22 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970).
No. 3-Solan (Sec.)-1/73, dated the 21st December, 1974.	Office of the Deputy Commissioner, Solan.	Notifying the names of the Elected Candidates in Municipal elections along with the Wards from where elected.
No. 6-22/71-LR., dated the 26th December, 1974.	Law Department	The Himachal Pradesh Urban Rent Control (Amendment) Ordinance, 1974 (Ordinance No. 9 of 1974).
No. LSG-A-(4)-23/74, dated the 24th December, 1974.	Local Self Government Department.	Declaration of boundaries of Notified Area Committee of Rajgarh in Tehsil Pachhad in Sirmur district under section 256 of the H.P. Municipal Act, 1968 (Act No. 19 of 1968).

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा

अधिसूचनाएं इत्यादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Simla-1, the 11th December, 1974

No.HHC(Misc)6-20/71-II-13791. —It is hereby notified for general information that the days enumerated in the Schedule below shall be observed as public holidays by the High Court of Himachal Pradesh during the year 1975 :

SCHEDULE

LIST OF HOLIDAYS FOR THE YEAR 1975

Name of Holidays 1	Dates on which these fall 2	Day or days of the week 3
All Sundays	—	—
All Second Saturdays	—	—
Statehood Day	25th January	Saturday
Maha Shivratri	11th March	Tuesday
Holi	27th March	Thursday
Good Friday	28th March	Friday
Himachal Day	15th April	Tuesday
Mahavir Jayanti	24th April	Thursday
Independence Day	15th August	Friday
Janam Ashtami	29th August	Friday
Mahatma Gandhi's birthday.	2nd October	Thursday
Dussehra Holidays	6th October to 18th October (including Id-ul-Fiter falling on 7-10-1975).	Monday to next Saturday.
Diwali	3rd November	Monday
Goverdhan Puja	4th November	Tuesday
Bhai Duj	5th November	Wednesday
Guru Nanak's birthday.	8th November	Tuesday
Christmas Day	25th December	Thursday

Note.—1. It is further notified that the Saturdays falling on 15th March and 25th October, 1975 will be working days for the Court.

2. This list does not include Republic Day (26th January, 1975) Ram Naumi (20th April, 1975) and Id-ul-Zuha (14th December, 1975) which fall on Sundays and Id-ul-Fiter (7th October, 1975) which falls during the Dussehra Holidays).

Simla-1, the 11th December, 1974

No. HHC (Misc.)6-20/71-II-13792.—It is hereby notified for general information that the days enumerated in the Schedule below shall be observed as public holidays

by all the Courts subordinate to the High Court of Himachal Pradesh during the year 1975:—

SCHEDULE

LIST OF HOLIDAYS FOR THE YEAR 1975

Name of Holidays 1	Dates on which these fall 2	Day or days of the week 3
All Sundays	—	—
All Second Saturdays	—	—
Muharram	24th January	Friday
Statehood Day	25th January	Saturday
Maha Shivratri	11th March	Tuesday
Holi	27th March	Thursday
Good Friday	28th March	Friday
Himachal Day	15th April	Tuesday
Mahavir Jayanti	24th April	Thursday
Independence Day	15th August	Friday
Janam Ashtami	29th August	Friday
Mahatma Gandhi's birthday.	2nd October	Thursday
Dussehra Holidays	13th October to 18th October.	Monday to Saturday
Diwali	3rd November	Monday
Goverdhan Puja	4th November	Tuesday
Bhai Duj	5th November	Wednesday
Guru Nanak's birthday.	18th November	Tuesday
Christmas Day	25th December	Thursday

Note.—1. This does not include Republic Day (26th January, 1975), Ram Naumi (20th April, 1975) and Id-ul-Zuha (14th December, 1975) which fall on Sundays.

2. It is further notified that the District & Sessions Judges shall at their discretion, grant two holidays in the Calendar year on the occasion of important fairs and festivals peculiar to the places where these are celebrated, within their respective Civil and Sessions Divisions.

By orders of the Hon'ble the Chief Justice and Judges.

S. P. THAPLYAL,
Deputy Registrar.

Simla-1, the 16th December, 1974

No. HHC/GAZ/3-7/71-13900.—The Hon'ble the Chief Justice, High Court of Himachal Pradesh, Simla has been pleased to grant 72 days earned leave with effect from 16th December, 1974 to 25th February, 1975 (A.N.) with permission to prefix the second Saturday and Sunday falling on 14th and 15th December, 1974 in favour of Shri B. R. Himalvi, Deputy Registrar, High Court of Himachal Pradesh, Simla.

Certified that Shri B. R. Himalvi would have continued to officiate as Deputy Registrar but for his proceeding on 72 days earned leave.

It is also certified that Shri B. R. Himalvi is likely to return in the same station after the expiry of above leave.

Simla-1, the 16th December, 1974

No. HHC/GAZ/3-7/71.—Consequent upon the grant of 72 days earned leave w.e.f. 16th December, 1974 to 25th February, 1975 (both days inclusive) in favour of Shri B. R. Himalvi, officiating Deputy Registrar, High Court of Himachal Pradesh, the Hon'ble the Chief Justice is pleased to make the following officiating arrangement during the above leave period:—

Sr. No.	Name and Designation	Remarks
1	Shri R. C. Malhotra, Assistant Registrar.	Promoted and appointed as officiating Deputy Registrar (Judl.) in the pay scale of Rs. 900—1250 in place of Shri B. R. Himalvi.
2.	Shri B. K. Sharma, Superintendent (Admn.)	Promoted and appointed as officiating Assistant Registrar in place of Shri R. C. Malhotra in the pay scale of Rs. 700—1100.

This order shall take effect from the date the above officers assume charge of the posts to which they have been promoted. This order shall confer no right on them to continue on these posts.

Simla, the 16th December, 1974

No. Judl./Rules-74.—In exercise of the powers conferred by section 23 of the State of Himachal Pradesh Act, 1970 read with section 7 of the Delhi High Court Act, 1966, and section 129 of the Code of Civil Procedure, 1908 and all other powers enabling them in this behalf, the Hon'ble the Chief Justice and Judges of High Court of Himachal Pradesh are pleased to substitute the following Schedule in place of Schedule 'B' appended to Chapter 2-A, High Court Rules and Orders Volume V as are applicable to the High Court of Himachal Pradesh for preparation and printing of the record etc. with immediate effect:—

SCHEDULE 'B'

The work of transcribing, transliterating, translating and printing the record will be charged for at the following rates under rules 6 and 10:—

	Ordinary Rs.	S.C. Style Rs.
1. Transcribing the record per 1000 words or part thereof.	1.67	1.12
2. Transliterating the record, per 1000 words or part thereof.	2.50	2.50
3. Translating and revising the record per 250 words or part thereof.	1.75	3.00
4. Printing charges per page of printed matter.	5.25	6.00
5. Correcting of proofs per page.	0.37	0.50

Ordinary P.S. S. C. Style Rs.

6. Typing charges of the record (six copies to be prepared in two sets of three copies each at the rate of per 1000 words or part thereof.	5.00	5.00
7. Papers per sheet of printed matter in both the style.	0.02	0.02
8. Typing and revising the record per 1000 words.	1.75	1.75

By order,
S. P. THAPLYAL,
Acting Registrar.

Simla, the 17th December, 1974

No. HHC/GAZ/1-1/74.—In exercise of the powers conferred by Article 229 of the Constitution of India, the Hon'ble the Chief Justice is pleased to appoint Shri S. P. Thaplyal, Deputy Registrar (Admn.) cum-Secretary to the Chief Justice, to perform the duties and functions and exercise the powers attached to the post of Registrar of the High Court of Himachal Pradesh with effect from December 1, 1974 until further orders in addition to his present duties, functions and powers.

By order,
R. C. MALHOTRA,
Deputy Registrar (Admn.).

हिमाचल प्रदेश सरकार

PERSONNEL A-I DEPARTMENT

NOTIFICATIONS

Simla-2, the 7th December, 1974

No. 3-3/68-Appntt.—The Governor, Himachal Pradesh is pleased to accord sanction to the grant of 30 days' earned leave in favour of Shri C. L. Thakur, formerly General Assistant-II, Mandi w.e.f. 11th November, 1974 to the 10th December, 1974, subject to verification of title to leave.

2. Certified that Shri C. L. Thakur would have continued to officiate against the duty post of the H.P.A.S., but for his proceeding on leave as mentioned above.

3. Certified that after the expiry of leave Shri Thakur is likely to join his duties as Collector (Forests), Dalhousie, District Chamba.

AJAY PRASAD,
Joint Secretary.

Simla-2, the 10th December, 1974

No. S-110/69-Appntt. II.—The Governor, Himachal Pradesh is pleased to appoint Shri P. N. Sharma, Assistant Director of Panchayati Raj to officiate as Deputy Director of Panchayati Raj, Himachal Pradesh during the period mentioned hereunder:—

1. 13-1-73 to 25-2-73 } During the leave period of Shri Pritpal Singh, Deputy Director of Panchayati Raj.
2. 11-8-73 to 16-9-73 }

3. 18-4-74 to 31-5-74 On account of transfer of Shri Pritpal Singh, Deputy Director of Panchayati Raj.

2. The Governor, Himachal Pradesh if further pleased to order that Shri P. N. Sharma shall hold the additional charge of the post of Assistant Director of Panchayati Raj, Himachal Pradesh, during the period mentioned above.

U. N. SHARMA,
Chief Secretary.

(SECRETARIAT ADMINISTRATION SERVICES)

Simla-2, the 10th December, 1974

No. 21-3/74-SA-S.—The Governor, Himachal Pradesh is pleased to order that Shri Jagdish Ram Sharma, Section Officer, Himachal Pradesh Secretariat, shall retire from Government service on attaining the age of superannuation with effect from the 31st December, 1974 (A.N.).

B. R. LAKHANPAL,
Under Secretary.

CORRIGENDUM

Simla-2, the 11th December, 1974

No. 3-7/71-DP-Apppt. I (Vol. II).—Please read "91 days earned leave" instead of "82 days earned leave" appearing in line 2 of this Department notification of even. number dated the 22nd October 1974, sanctioning leave to Shri L. Hminglana-Toghhawang, I.A.S., Financial Commissioner, Himachal Pradesh.

NOTIFICATION

Simla-2, the 12th December 1974

No. 1-38/71-Apppt. I.—On the completion of his training at the National Police Academy, Abu, the Governor, Himachal Pradesh is pleased to order the deputation of Shri Ashwani Kumar, I.A.S. (H.P.) Probationer, for undergoing training at the Police Training College, Phillaur, from the date of taking over, in public interest.

AJAY PRASAD,
Joint Secretary.

AMENDMENT

Simla-171002, the 17th December, 1974

No. 8-5/69-DP(Apppt-II).—The Governor, Himachal Pradesh is pleased to order that the words "one month" appearing in the 3rd line of para 2 of this Department's notification No. 8-5/69-DP (Apppt-II), dated 26th September, 1974 be substituted by the words "three months".

U. N. SHARMA,
Chief Secretary.

AGRICULTURE DEPARTMENT

NOTIFICATION

Simla-171002, the 11th December, 1974

No. 6-6/68-Agr(Sectt.).—In supersession of this Government notification of even number, dated the 27th August, 1970 and in exercise of the powers vested in him

under section 12 of the Central Seeds Act, 1966 (54 of 1966) the Governor, Himachal Pradesh is pleased to appoint the following persons as Seed Inspectors, having jurisdiction over the areas specified against each:—

Sl. No.	Name and designation	Jurisdiction	Hqrs.
1.	Shri Ashok Kumar, Agricultural Inspector.	Simmur and Solan districts	A.D.O's. office at Nahan
2.	Shri Asha Ram, Agricultural Inspector.	Hamirpur, Mandi, Kulu, Lahaul and Spiti districts	-do- Mandi
3.	Shri Daya Ram Singh, Agricultural Inspector.	Bilaspur, Simla and Kinnaur.	-do- Simla
4.	Shri K. C. Bhardwaj, Agricultural Inspector.	Kangra, Una and Chamba	-do- Kangra at Dharam-sala.

By order,
C. M. CHATURVEDI,
Secretary.

EDUCATION DEPARTMENT

NOTIFICATION

Simla-2, the 25th November, 1974

No. 14-3/74. Sectt-Edu-A.—The Governor, Himachal Pradesh is pleased to constitute a State Level Committee with immediate effect for procurement and distribution of Government paper. The constitution of the said Committee will be as under:—

1.	Secretary (Education)	Chairman.
2.	Director of Education, Himachal Pradesh	Vice-chairman.
3.	Registrar, Himachal Pradesh University, Simla-5	Member.
4.	Secretary, Board of School Education, Himachal Pradesh	"
5.	Deputy Controller of Printing and Stationery, Himachal Pradesh Government Press, Simla	"
6.	Shri P. N. Semwal, Assistant Director of Education, Himachal Pradesh	"
7.	One Representative of Printers of Books	"
8.	One Representative of Publishers	"
9.	Shri K. R. Nada, Assistant Director of Education, Himachal Pradesh	Convener.

2. The life of this State Level Committee will be 2 years in the first instance, and may be extended.

3. The functions of the State Level Committee will be to guide the Education Department in the matter of procurement and distribution of white paper for publishing of Text Books and preparation of answer books and exercise books etc.

The T. A. and D. A. to the non-official members of the said Committee will be governed as per instructions contained in the enclosed Annexure.

5. This issues with the prior concurrence of the Finance Department obtained vide their U. O. No. 2790, dated 29-10-1974.

ANNEXURE

Travelling Allowance to non-official members of the State Level Committee, Himachal Pradesh instituted for procurement, distribution of paper for Publication of Text books/Exercise books etc.

1. (a) *Travelling allowance—Journey by rail.*—The non-official members who are not members of Vidhan Sabha will be treated at par with Government servants of the first grade and will be entitled to a single fare of the class of accommodation actually used, but not exceeding the fare to which the Government servants of the first grade are normally entitled i.e. accommodation of the first class, plus an allowance for incidental expenses at the rate of 35 paise per every 10 kilometres or part thereof if the journey exceeds 5 Kilometers or one daily allowance at the ordinary rates prescribed in T.A. Rules for every 24 hours of the railway journey or part thereof, whichever is less.

(b) *Journey by Road.*—In respect of journey by road between places not connected by rail, a member will be entitled to road mileage admissible to an officer of the first grade under the rules and at the rates as applicable to the employees of the Himachal Pradesh Government.

In a case where journey between two places connected by rail is performed by road, rail being the ordinary mode of travelling the road mileage will be regulated as under:—

(i) When a journey is performing by taking a single seat in a public conveyance, he will be entitled to actual fare paid for a seat in the public conveyance plus incidentals admissible as for a journey by rail or the lower rates of road mileage prescribed in the T.A. Rules limited to rail mileage whichever is less.

(ii) When the journey is performed otherwise the higher rate or road mileage, but limited to rail mileage will apply.

When the journey is performed by using a means of locomotion provided by the Government and the member does not pay cost of its use or propulsion he will be entitled to draw an allowance for incidental expenses at the rates admissible under S. R. 36 on the basis of distance covered by road by the direct route and restricted to one daily allowance at the ordinary rate for every twenty four hours of journey or part thereof. For this purpose, the forward and return journeys will be treated separately except when they fall on the same day.

(c) The representatives of the University will draw their T.A. and D.A. from Himachal Pradesh University.

(d) Official members of the above Committee will draw their T.A. and D.A. from their respective Departments.

2. *Daily Allowance.*—The non-official member(s) will be entitled daily allowance for each day of meeting at the highest rate admissible to a Government servant of the first grade for the respective locality.

(b) In addition to the daily allowance for the day(s) of the meeting a member shall also be entitled to full daily allowance for the day preceding and or the day following the meeting if—

1. He arrives in the forenoon of the day preceding the day of the meeting or on an earlier day and/or
2. he departs at 12 noon or in the afternoon of the day following the day of the meeting or on a later day. But he will be entitled to only half daily allowance for the day preceding and/or for the day following the meeting if—

- (a) he arrives at 12 noon or in the after noon of the day preceding the day of the meeting and/or
- (b) he departs in the forenoon of the day following the day of the meeting
- (c) daily allowance will be subject to the usual conditions laid down in Supplementary Rule 73, as amended from time to time.

3. *Conveyance Allowance.*—A member, resident at a place where the meeting of the committee is held will not be entitled to travelling and daily allowances on the scales indicated above, but will be allowed only the actual cost of conveyance hire, subject to a maximum of Rs. 10.00 per day. Before the claim is actually paid the controlling officer should verify the claim and satisfy himself, after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed. In cases, he is not satisfied with the details, he may, at his discretion, limit the conveyance allowance to road mileage. If such a member uses his own car, he will be granted mileage allowance at the rates admissible to officials of the first grade subject to a maximum of Rs. 10.00 per day.

4. *The travelling and daily allowances will be admissible* to a member on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and halts from any other Government source.

5. The members will be eligible for travelling allowance for the journeys actually performed in connection with the meetings of the Committee from and to the place of their permanent residence to be named in advance. If any member performs a journey from a place other than the place of his permanent residence to attend a meeting of the Committee or returns to the place other than the place of his permanent residence after the termination of the meeting travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place of permanent residence and the venue of the meeting, whichever is less.

6. The provisions of Rule 4.17 of the Punjab Subsidiary Treasury Rules as applied to Himachal Pradesh will apply *mutatis mutandis* in the case of over-payment made on account of T.A. to non-official members.

7. The Director of Education will be the Controlling Officer in regard to countersigning the T.A. Bills of these members and the Bills will be prepared by the Directorate of Education (Bills and Cash Section).

8. The expenditure will be debitable in Head.....

By order,
R. C. GUPTA,
Secretary.

FINANCE (REGULATION) DEPARTMENT

OFFICE MEMORANDUM

Simla-171002, the 13th December, 1974

No. 15-6/71-Fin (R&E)-I.—The undersigned is directed to say that Governor, Himachal Pradesh is pleased to order the deletion of paras 4.13, 15.3 and 15.17 of Himachal Pradesh Budget Manual, First Edition, 1971.

ANANG PAL,
Secretary.

FOREST DEPARTMENT

CORRIGENDUM

Simla-2, the 7th December, 1974

No. 25-5/73-SF.—Please substitute "Director Regional Research Laboratory, Jammu or his two representatives" for "Director Regional Research Laboratory, Jammu—Member" occurring against Serial No. 6 of Govt. Notification No. 6 of this Government notification No. 25-5/73-SF, dated 22nd November, 1973, regarding constitution of the Forest Utilization Committee. They will be treated as Non-official members of the said Committee.

By order,
P. K. MATTOO,
Secretary.

HEALTH AND FAMILY PLANNING DEPARTMENT

NOTIFICATIONS

Simla-171002, the 10th December, 1974

No. 1-93/74-H&EP.—On the recommendations of Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Dr. Miss Radha, Ambika Niwas as Civil Assistant Surgeon Grade I in the scale of Rs. 350-25-500-30-590/30-830-35-900 w.e.f. 16-8-74 (F.N.). She will be on probation for a period of two years.

Simla-171002, the 11th December, 1974

No. 1-94/74-H&FP.—On the recommendations of Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Dr. D. C. Marwah as Civil Assistant Surgeon Grade I in the scale of Rs. 350-25-500-30-590/30-830-35-900 w.e.f. 24-8-1974 (F.N.). He will be on probation for a period of two years.

Simla-2, the 17th December, 1974

No. 1-97/74-H&FP.—On the recommendations of Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Dr. Lalit Darshi Vaidya as Civil Assistant Surgeon Grade I in the scale of Rs. 350-25-500-30-590/30-830-35-900 with effect from 30-8-1974 (F.N.). He will be on probation for a period of two years.

Simla-2, 17th the December, 1974

No. 1-96/74-H&FP.—On the recommendations of Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Dr. Som Dutt Bherwal as Civil Assistant Surgeon Grade I in the scale of Rs. 350-25-500-30-590/30-830-35-900 with effect from 14-8-1974 (F.N.). He will be on probation for a period of two years.

Simla-2, the 17th December, 1974

No. 1-98/74-H&FP.—On the recommendations of Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint

Dr. Kishore Chand Sharma as Civil Assistant Surgeon Grade I in the scale of Rs. 350-25-500-30-590/30-830-35-900 with effect from 16-8-1974 (F.N.). He will be on probation for a period of two years.

HARI SINGH,
Deputy Secretary.

HORTICULTURE DEPARTMENT

NOTIFICATIONS

Simla-2, the 9th December, 1974

No. 38-98/69-Agr. Sectt.—In exercise of the powers vested in him under Article 98 (d) of the memorandum and Articles of Association of the Himachal Pradesh Agro-Industries Corporation Ltd., the Governor, Himachal Pradesh, is pleased to appoint Shri R. S. Rana, Director of Horticulture, Himachal Pradesh, as Director of the aforesaid Corporation vice Shri R. C. Gupta, transferred and posted as Secretary to the Government of Himachal Pradesh vide Government of Himachal Pradesh, Department of Personnel (A-I) notification No. 1-15/73-DP-Apppt. I., dated the 21st July, 1974.

Simla-2, the 13th December, 1974

No. 16-5/74-Hort. Sectt.—The Governor, Himachal Pradesh, with the prior approval of the Himachal Pradesh Public Service Commission, is pleased to order the continued *ad hoc* appointment of Shri O. P. Sardana to the post of Assistant Horticultural Marketing Officer in the Class II scale of Rs. 350—900 for a further period from 10-9-74 to 9-12-74 or till the post is filled on a regular basis whichever is earlier.

Simla-2, the 16th December, 1974

No. 16-5/74-Hort. Sectt.—The Governor, Himachal Pradesh, on the recommendations of the Departmental Promotion Committee and with the approval of the Himachal Pradesh Public Service Commission, is pleased to promote and appoint Shri Mohinder Singh, a substantive holder of the post of Horticultural Inspector (Marketing) to officiate as Assistant Horticultural Marketing Officer in the Class II (Gazetted) scale of Rs. 350-25-500-30-590/30-830-35-900 in the Department of Horticulture, Simla, with effect from the date of joining the post until further orders.

2. Shri Mohinder Singh will be on probation for a period of two years with effect from the date of joining the post.

S. M. VERMA,
Under Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-2, the 27th November, 1974

No. 3-2/69-SI(FC)-IV.—In pursuance of sub-section (1) of section 7 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Government of Himachal Pradesh, on the recommendations of the Board of Director of Himachal Pradesh Financial Corporation, Simla,

based on the advise of the Reserve Bank of India, hereby fixes the rate of interest, currency of bonds and issue price as under on the bonds of Rs. 25.00 lakhs. (Rupees twenty-five lakhs), with an option to retain 10% in excess of the bond issue to be issued by the Himachal Pradesh Financial Corporation during the current financial year. (1974-75):—

Currency of bonds	10 years
Issue price	Rs. 98.85
Rate of interest	6½%

By order
P. K. MATTOO,
Secretary.

LABOUR DEPARTMENT NOTIFICATION

Simla-171002, the 3rd December, 1974

No. 2-170/69-SI.—In exercise of the powers vested in him under section 5 of the Factories Act, 1948, the Governor, Himachal Pradesh is pleased to grant exemption from the provisions of sections 51, 52, 54, 56 and 79 of the said Act for a period of 3 months in favour of under mentioned factories subject to the following conditions:—

1. Machine Shop, Baggi.
2. Loco Mucker Shop, Baggi.
3. Pipe and Sheet Metal Shop, Baggi.

CONDITIONS

Exemption under section 79 is granted to the extent that leave may be refused where necessary in the exigencies of the services except in case of illness and to provide for accumulation of leave without limit so that the workers do not lose the benefit of leave, so refused.

This exemption shall take effect from the date of issue of this notification.

By order,
P. K. MATTOO,
Secretary.

LABOUR EMPLOYMENT AND TRAINING DEPARTMENT NOTIFICATION

Simla-2, the 10th December, 1974

No. 14-24/73-SI(EMP.).—In view of the difficulties being experienced by the employment seekers of the undermentioned places, in dealing with the Employment Exchanges concerned, the Governor of Himachal Pradesh is pleased to upgrade the following Rural Manpower Unit/Block Employment Bureaux to Sub-Office, Employment Exchanges. In order to fix the areas to suit the convenience of the applicant/public, the existing jurisdictions are revised as under:—

- | | |
|---|-----------------------------------|
| 1. Sub-Office Employment Exchange, Arki, District Solan. | Revenue areas of Tehsil Arki. |
| 2. Sub-Office Employment Exchange, Kaza, District Lahaul and Spiti. | Revenue areas of Tehsil Kaza. |
| 3. Sub-Office Employment Exchange, Pangti, District Chamba. | Revenue areas of Tehsil Pangti. |
| 4. Sub-Office Employment Exchange, Bharmour, District Chamba. | Revenue areas of Tehsil Bharmour. |
| 5. Sub-Office Employment Ex- | Revenue areas of |

change, Nurpur, District, Tehsil Nurpur.
Kangra.

P. K. MATTOO,
Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Simla-171002, the 6th December, 1974

No. 9-16/73-PW.B.—Whereas the Governor of Himachal Pradesh is satisfied that land specified below is needed by Government for the construction of Behdala-Bharolian Road. It is hereby declared that the land described in the specification below is required for the aforesaid purpose.

This declaration is made under the provision of section VI of the Land Acquisition Act, 1894 to all whom it may concern and under the provision of section 7 of the said Act by the Land Acquisition Collector, Himachal Pradesh P.W.D., Kangra is hereby directed to take order for the acquisition of said land.

Plans of the land may be inspected in the office of Land Acquisition Collector, Himachal Pradesh P.W.D., Kangra.

SPECIFICATION

District: UNA

Tehsil: UNA

Village
1

Khasra No.,
2

BEHDALA 1844, 1845, 1846, 1848, 1849, 1850, 1851, 1852, 1854, 1855, 1863, 7716/1960, 4853/1961, 1963, 1994, 1995.

Total No. 16 Area 1.79 Acres

BHAROLIAN
GOGARAN.

1262, 1263, 1264, 1267, 1268, 1269, 1270, 1298, 1299, 1300, 1312, 1313, 1315, 1316, 1317, 1317/1, 1326, 1337, 1338, 1339, 1340, 1341, 1341/1, 1346, 1347, 13451, 1374, 1375, 1376, 1378, 1179, 1380, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1921.

Total No. 41 Area 1.16 Acres.

Simla-171002, the 10th December, 1974

No. 9-12/73-PW(B)—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Ladda-Bhajwani Kuhl is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey and land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh P.W.D., Mandi.

SPECIFICATION

District: MANDI

Tehsil: SARKAGHAT

Village 1	Khasra No. 2	Area		Remarks 5
		Big.	Bis.	
MATYARA	1/1	0	00	32
	2/1	0	01	05
	13/1	0	03	28
	16/1	0	02	37
	135/1	0	00	78
	134/1	0	00	51
	132/1	0	03	58
	131/1	0	02	17
	129/1	0	00	24
	141/1	0	00	32
	125/1	0	02	08
	145/1	0	00	35
	156/1	0	01	73
	150/1	0	02	45
	297/1	0	00	66
	198/1	0	00	53
	299/1	0	00	24
	300	0	00	34
	304	0	00	12
	305	0	00	22
	307/1	0	00	20
	308	0	00	08
	309	0	00	70
	310/1	0	00	37
	310/2	0	00	44
	361/1	0	00	24
	369/1	0	00	35
	370	0	00	41
	371	0	00	42
	375	0	01	16
	376/1	0	00	07
	382	0	00	76
	381	0	00	82
	442	0	00	35
	444	0	00	18
	445	0	00	52
	446	0	01	34
	644/1	0	01	24
	648/1	0	00	52
	651/1	0	02	05
	691/1	0	01	90
	688	0	01	66
	684	0	00	79
	680	0	01	04
	679	0	00	20
	669	0	00	14
	672	0	00	88
	775	0	02	63
	776/1	0	00	26
	777/1	0	00	38
	792	0	02	24
	788/1	0	00	14
	787/1	0	00	15
	1070/1	0	00	44
	1071	0	00	67
	136/1	0	01	18

1	2	3	4	5
	1072/1	0	00	84
	1074/1	0	02	05
	1082/1	0	08	66
	29/1	0	01	36
Total	Kitta 60	0	62	15

Simla-2, the 10th December, 1974

No. 9-12/73-PW(B).—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for construction of Ladda-Bhujwani *Kulhal*, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, H. P. P. W. D., Mandi.

SPECIFICATION

District: MANDI

Tehsil: SARKAGHAT

Village 1	Khasra No. 2	Area		
		H. 3	A. 4	C. 5
BHAGWAN	522/1	0	00	05
	528/1	0	00	06
	545/1	0	00	13
	544/1	0	00	21
	526	0	00	06
	511/1	0	00	26
	512	0	00	10
	527	0	00	06
	543	0	00	12
	456/1	0	00	02
	469/1	0	00	09
	483/1	0	00	18
	446/1	0	00	44
	476/1	0	00	36
	477/1	0	00	24
	463/1/1	0	00	35
	455/1	0	00	44
	445/1	0	00	12
	501/1	0	00	40
	509/1	0	00	35
	463/1	0	00	58
	481/1	0	00	05
	482/1	0	00	30
	486/1/1	0	00	32
	470/1	0	00	54
	74/1	0	00	36

1	2	3	4	5
42/1	0	00	18	
47/1	0	00	39	
84/1	0	00	36	
569/1	0	00	30	
572	0	00	50	
40/1	0	00	18	
52/1	0	00	80	
71/1	0	00	25	
59/1	0	00	52	
67/1	0	00	38	
570/1	0	00	16	
571	0	00	78	
447/1	0	00	20	
562/1	0	00	08	
40/1/1	0	00	10	
440/1	0	00	40	
547/1	0	00	14	
73/1	0	00	56	
577/1	0	00	10	
72/1	0	00	42	
69/1	0	00	30	
50/1	0	00	52	
561/1	0	00	56	
546	0	00	18	
560	0	00	98	
63/1	0	00	44	
65/1	0	00	35	
559/1	0	00	08	
41/1	0	00	30	
58/1	0	00	27	
46/1	0	00	10	
Total.. Kitta 57		0	17	07

Simla-171002, the 10th December, 1974

No. 9-10/73-PW(B).—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for construction of Kurpan Khad to Nirmond Kuhl, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may be concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has an objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, District Simla and Outer Seraj, Kulu.

SPECIFICATION

District: KULU

Sub-Tehsil: NIRMOND

Village	Khasra No.	Area	Bis.	Bis.
1	2	3	4	
FATI: ARSU				
	1423	3	12	
	1419	2	19	
	1424	0	6	
	1425	1	8	
	1427	0	19	
	1401	1	18	
	1375	5	13	
	1400	18	14	
	1402	1	0	
	1372	1	17	
	1428	1	19	
	1418	0	4	
Total..		13	41	6

FATI: TWAR				
	497	8	17	
	501	1	3	
	491	5	15	
	502	7	13	
	437	9	10	
	476	2	16	
	407	0	2	
	475	12	15	
	418	0	5	
	402	2	9	
	417	2	8	
	408	0	3	
	500	1	4	
	506	2	16	
	563	10	8	
	572	41	8	
	419	1	2	
	420	8	0	
	439	1	16	
	545	1	14	
	917	12	18	
	406	0	2	
	409	0	11	
	509	0	10	
	507	1	10	
	556	2	11	
	557	5	9	
	508	0	14	
Total		28	146	9

By order,
GANGESH MISRA,
Secretary.

Simla-2, the 13th December, 1974

No. 1-38/69-PWD.—The Governor, Himachal Pradesh, is pleased to accept the resignation of Shri R. K. Mehta, Town and Country Planner, H.P.P.W.D. with effect from the 16th December, 1974 (A.N.).

Shri Mehta will deposit salary for 15 days in lieu of remaining period of one month's notice given by him on 2-12-1974 read with his letter dated 11-12-1974.

GANGESH MISRA,
Secretary.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 14th December, 1974

No. BP/DIO/Loan 278/73.—Whereas a notice was served on Shri Krishan Singh s/o Basanta, village Kesohal, P.O. Moresinghee, Tehsil Ghumarwin, District Bilaspur, H. P. on 20-8-1973, under section 23 of the H. P. State Aid to Industries Act, 1971 calling upon the said Shri Krishan Singh to pay to me the sum of Rs. 227.50 before 31-8-1971 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 1,000 is due from the said Shri Krishan Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

Personal Sureties: SCHEDULE

1. Krishnu Ram s/o Bali Ram, r/o village Kasohal, P. O. Moresinghee, Tehsil Ghumarwin, District Bilaspur, (HP).
2. Sita Ram s/o Nand Lal, village Seo, P.O. Dhadhol, Tehsil Ghumarwin, District, Bilaspur (HP).

C. M. MADHUR,

District Industries Officer, Bilaspur.

FORM "Q"

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 14th December, 1974

No. BP/DIO/Loan/245/73.—Whereas a notice was served on Shri Anant Ram s/o Kanshi Ram, r/o village and P. O. Auhar, District Bilaspur, Himachal Pradesh on 12-7-71, under section 23/27 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Anant Ram to pay to me the sum of Rs. 5,000.00 plus interest up-to-date before 31-7-71 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 5,000 plus interest up-to-date is due from the said Shri Anant Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Surety No. I. Garja Ram s/o Sant Ram, r/o village Jijapur, P. O. Auhar. Surety No. II, Shri Dila Ram s/o Sh. Masadi, r/o village Hirapur, P. O. Auhar.

C. M. MADHUR,

District Industries Officer, Bilaspur.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 14th December, 1974

No. BP/DIO/Loan/261/73.—Whereas a notice was served on Shri Inder Pal s/o Shri Naubat Ram, 76/A, Main Market, Bilaspur on 20-8-1973, under section 23/35 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Inder Paul to pay to me the sum of Rs. 714.00 plus interest. 650.00

...and whereas the said sum has not been paid, I hereby before declare the sum of Rs. 1,428 plus interest is due from the said Shri Inder Paul and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Personal Surety:

1. Shri Haria Ram s/o Shri Gokal, H.No. 36, Sector-3, Bilaspur.
2. Shri Joti Singh s/o Shri Puran, Village Beri Darolan, P. O. Beri, Tehsil Sadar, Bilaspur, (H. P.).

C. M. MADHUR,

District Industries Officer, Bilaspur.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 14th December, 1974

No. BP/DIO/Loan/197/73.—Whereas a notice was served on Shri Siri Ram s/o Gusai Ram, village Sargal, P. O. Barthin, Tehsil Ghumarwin, District Bilaspur, Himachal Pradesh on 21-10-70, under section 23/35 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Siri Ram to pay to me the sum of Rs. 11,110.00 before 31-10-1970 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 11,110.00 is due from the said Sh. Siri Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Two houses double storeyed costing Rs. 11,000 standing at Khasra No. 96 measuring 7 Biswas situated in village Sargal, P. O. Barthin, Tehsil Ghumarwin, District Bilaspur (H. P.).

C. M. MADHUR,

District Industries Officer, Bilaspur.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 14th December, 1974

No. BP/DIO/Loan/241/73.—Whereas a notice was served on Shri Basant Ram s/o Shri Budhoo, r/o village & P. O. Jhandutta, Tehsil Ghumarwin, District Bilaspur, Himachal Pradesh on 17-7-1971, under section 27 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Basant Ram to pay to me the sum of Rs. 2,500 plus interest before 31-7-71 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 2,500 plus interest is due from the said Shri Basant Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Land comprised of Khasra No. 4559/3858, 3859, 3866, 3860, 3865 kita 5 situated in village & P. O. Jhandutta, belonging to Shri Basant Ram loanee.

C. M. MADHUR,

District Industries Officer, Bilaspur.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 16th December, 1974

No. BP/DIO/Loan/281/73.—Whereas a notice was served on Shri Dhani Ram s/o Masadi Ram, r/o 26 Raura Sector, N. B. T. Bilaspur district, Himachal Pradesh on 20-7-1973, under section 23/35 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Dhani Ram to pay to me the sum of Rs. 137.00 before 31-8-73 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 714.00 is due from the said Shri Dhani Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Surety No. I. Sukh Ram s/o Masadi, r/o H. No. 170, Diara Sector No. I. N. B. T. Bilaspur, H. P.
Surety No. II. Nand Kishore s/o Piare Lal, H. No. 53, Diara Sector, N. B. T. Bilaspur, H. P.

C. M. MADHUR,
District Industries Officer, Bilaspur.

FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Bilaspur, the 16th December, 1974

No. BP/DIO/Loan/280-73.—Whereas a notice was served on Shri Jaimal Din s/o Attar Din, village Kosarian Kanetan, P. O. Bilaspur, District Bilaspur, Himachal Pradesh on 18-8-1973, under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Jaimal Din to pay to me the sum of Rs. 325.00 before 31-8-1973 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 5,000.00 plus interest is due from the said Shri Jaimal Din and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Personal Sureties: (1) Gulam Muhammad s/o Hiru, r/o village Koserian, Kanetan, P. O. Bilaspur, District Bilaspur, Himachal Pradesh.
2. Sukhia Ram s/o Sadhu, r/o village Behal Kandela, P. O. Chandpur, Tehsil Sadar, District Bilaspur, Himachal Pradesh.

C. M. MADHUR,
District Industries Officer, Bilaspur.

FORM 'Q'

FROM OF NOTICE UNDER SECTION 24

Bilaspur, the 16th December, 1974

No. BP/DIO/Loan/235/73.—Whereas a notice was served on Shri Chuni Lal s/o Shri Must Ram, r/o village Gassaur, P. O. Jukhala, Tehsil Sadar, Bilaspur, on the 17th July, 1971, under section 23/35 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Chuni Lal to pay to me the sum of Rs. 292.50. before 31-3-71 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 4,500 plus interest is due from the said Shri Chuni Lal and that the property described in the attached schedule liable for the satisfaction of the said debt.

SCHEDULE

Land comprised of Khasra No. 28, 31, 70 & 72 situated in village Gassaur, P. O. Jukhala, Tehsil Sadar, District Bilaspur measuring 46 Bighas 19 Biswas costing to Rs. 11,069.00 only belonging to the loanee.

C. M. MADHUR,
District Industries Officer, Bilaspur.
Himachal Pradesh.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. Ind. SMR-Loan/74.—Whereas a notice was served on Shri Mam Chand s/o Shri Budhi Parkash, Village and P.O. Paonta on 21-9-74 under section 24 of the H. P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Mam Chand to pay to me the sum of Rs. 5,000 with interest on or before 15-10-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 5,000 is due from the said Shri Mam Chand and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1. Shri Roopa Nand s/o Shri Bahadur Singh, Village and P. O. Paonta Sahib, Sirmur district (H.P.).
2. Shri Ishwar Chand Goel s/o Shri Genda Ram, Village and P.O. Paonta Sahib.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. 5223-25.—Whereas a notice was served on Shri Simroo Ram s/o Shri Dalipa, r/o Sarahan on 14-10-74 under section 24 of the H.P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Simroo Ram to pay to me the sum of Rs. 90 with penal interest on or before the 10-11-74 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 90 with penal interest is due from the said Shri Simroo Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Credit worthiness certificate.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. 5226-28.—Whereas a notice was served on Shri Narinder Kumar s/o Shri Balkishan Dass, Village Khirkua on 14-10-74 under section 24 of the H.P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Narinder Kumar to pay to me the sum of Rs. 900 with penal interest on or before 12-11-1974 and whereas the said sum has not been paid, I hereby declare that the

sum of Rs. 900 is due from the said Shri Narinder Kumar and that the property described in the attached schedule is liable for the satisfaction of the said debt.

• SCHEDULE

Land measuring 31 bighas 6 biswas comprising in Khatauni No. 2 and Khasra No. 12 situated in village Khirkwa, Tehsil Nahan, District Sirmur (H.P.) belonging to Shri Narinder Kumar s/o Shri Balkishan Dass, resident of Khirkwa, Tehsil Nahan (H.P.).

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. Ind-SMR-Loan/74.—Whereas a notice was served on Shri Jagdish Chand s/o Shri Parshotam Dass, Village Narag on 14-10-74 under section 24 of the H. P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Jagdish Chand to pay to me the sum of Rs. 350 with interest on or before 10-11-74 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 350 is due from the said Shri Jagdish Chand and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

House two storeyed consisting of 4 rooms standing on land at Khasra No. 1675, 1603/9 situated in village Narag, Tehsil Pachhad, District Sirmur and belonging to Shri Jagdish Chand s/o Shri Parshotam Dass, resident of Narag.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. IND-SMR-Loan/74.—Whereas a notice was served on Shri Ram Bhaj s/o Shri Relu Ram, Village and P.O. Tutvi on 14-10-1974 under section 24 of the Himachal Pradesh State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Ram Bhaj to pay to me the sum of Rs. 5,000 with interest on or before 3-11-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 5,000 is due from the said Shri Ram Bhaj and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

House two storeyed consisting of six rooms comprised in Khasra No. 2943 situated at village Tutvi, Tehsil Renuka, District Sirmur belonging to Shri Ram Bhaj s/o Shri Relu Ram, resident of village Tutvi, Tehsil Sirmur (Himachal Pradesh).

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. Ind-SMR-Loan/74.—Whereas a notice was served on Shri Shayam Lal Gupta s/o Shri Mangat Lal of Dadahu on 28-9-1974 under section 24 of the Himachal Pradesh State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Shayam Lal Gupta to pay to me the sum of Rs. 900 with interest on or before 26-10-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 900 is due from the said Shri Shayam Lal and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1. Shri Prem Chand s/o Shri Kanshi Ram, Village Dadahu, Tehsil Renuka, District Sirmur (H.P.).
2. Shri Jai Parkash s/o Shri Jiwan Ram, Village Dadahu, Tehsil Renuka, District Sirmur, (H.P.).

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. Ind-SMR-(Loan)/74.—Whereas a notice was served on Shri Raj Kishan s/o Shri Jiwan Ram, Village Kiarda on 14-10-1974 under section 24 of the Himachal Pradesh State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Raj Kishan to pay to me the sum of Rs. 195 with penal interest on or before 10-11-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 195 is due from the said Shri Raj Kishan and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1. Shri Chaja Singh Kiarda, P.O. Puruwala, Paonta.
2. Shri Kesho Ram s/o Shri Paras Ram, Village Kiarda, Tehsil Paonta.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT

Nahan, the 9th December, 1974

No. Ind-SMR-(Loan)/74.—Whereas a notice was served on Shri Pihu Ram s/o Shri Gaddi, Village and P.O. Puruwala on 31-10-1974 under section 24 of the Himachal Pradesh State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Pihu Ram to pay to me the sum of Rs. 6,000 with interest on or before 28-11-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 6,000 is due from the said Shri Pihu Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Land measuring 14 Bighas and 15 Biswas comprised in Khasra Nos., 65, 66, 78, 77, 68, 71, 69 and 274/100 (Khatoni No. 122 min), situated in village Puru-wala

Kanshipur, Tehsil Paonta, District Sirmur, Himachal Pradesh belonging to Shri Pohn Ram s/o Shri Gaddi.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT
Nahan, the 9th December, 1974

No. Ind. SMR Loan/74.—Whereas a notice was served on Shri Phalel Singh s/o Shri Lachmi Singh, village Kotala-Bhangi on 14-10-74 under section 24 of the H.P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Phalel Singh to pay to the sum of Rs. 900 with penal interest on or before 11-11-74 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 900 is due from the said Shri Phalel Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1½ share of Land comprised Khewat No. 10 min measuring 303-4 i.e. 76 Bighas 1 Biswa situated at village Kotala-Bhangi, Tehsil Pachhad, District Sirmur belonging to Shri Phalel Singh s/o Shri Lachmi Chand.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT
Nahan, the 9th December, 1974

No. Ind.-SMR-Loan/74.—Whereas a notice was served on Shri Fateh Singh s/o Shri Kirpa Ram, Naya Bazar, Nahan on 14-10-74 under section 24 of the H.P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Fateh Singh to pay to me the sum of Rs. 70 as penal interest on or before 11-11-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 70 is due from the said Shri Fateh Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Credit worthiness certificate.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT
Nahan, the 9th December, 1974

No. Ind.-SMR-Loan/74.—Whereas a notice was served on Shri Pritam Singh s/o Shri Shadi Ram, Sarahan on 14-10-74 under section 24 of the H.P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Pritam Singh to pay to me the sum of Rs. 90 with interest on or before 10-11-74 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 90 is due from the said Shri Pritam Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Credit worthiness certificate.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT
Nahan, the 11th December, 1974

No. Ind-SMR- Loan/74-5306-8.—Whereas a notice was served on Shri Prithi Singh s/o Shri Kundan Singh, Village Surla on 14-10-1974 under section 24 of the Himachal Pradesh State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Prithi Singh to pay to me the sum of Rs. 450 with penal interest on or before 3-11-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 450 is due from the said Shri Prithi Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Land measuring 22 Bighas, 14 Biswas comprised in Khata Khatauni Nos. 4/7, 24/45, 39/72, Khasra No. 99, 103, 123, 147, 152, 183, 104, kita 215 min, 292/222 min, 223, 289/221 min, 233 min, 236 min, situated in village Kathana and Surla (Ch.) belonging to Shri Prithi Singh s/o Shri Kundan Singh of village Surla, P.O. Surla, Tehsil Nahan, District Sirmur, (Himachal Pradesh).

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

DECLARATION UNDER SECTION 24 OF THE ACT
Nahan, the 11th December, 1974

No. Ind-SMR-Loan/74-5290-92.—Whereas a notice was served on Shri Raghubir Singh s/o Shri Narain Singh, Village and P.O. Baltha on 14-10-1974, under section 24 of the Himachal Pradesh State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Raghubir Singh to pay to me the sum of Rs. 625 with interest on or before 11-11-1974 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 625 is due from the said Shri Raghubir Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1/9 Share of Land comprised in Khasra No. 4, measuring 1 Bigha, 1 Biswa 1 Share of Shri Raghubir Singh situated in Mohalla Chakrara, Nahan, District Sirmur. Himachal Pradesh.

V. P. GUPTA,
District Industries Officer,
Sirmur district, Nahan.

PUBLIC WORKS DEPARTMENT
(DRAFT NOTIFICATIONS)

Dharamsala, the 5th December, 1974

No. SEV-LA-PLP-14/73-WSIII/I.—Whereas it appears to the Governor, Himachal Pradesh that the Land is required to be taken by the Government at public expense for a public purpose, namely for construction of

Paraur Lahla Chachian road in Tehsil Palampur, District Kangra.

It is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra.

SPECIFICATION

District: KANGRA

Tehsil: PALAMPUR

Village	Tika	Khasra No.	Area	
			K.	M.
1	2	3	4	5
PRAUR	PRAUR	1884/1846/1	19	16
		1660/158/1	0	2
		155/1	0	3
		85/1	0	4
		84/1	0	3
		83/1	3	6
		74/1	4	7
		99/1	0	2
		76/1	0	1
		76/2	0	1
		75/1	0	2
		75/2	0	3
		Total	2	10
LAHLA CHISANPAI		139/1	0	2
		136/1	7	10
		135/1	0	1
		112/1	0	2
		92/1	0	5
		82/1	0	5
		183/81/1	0	13
		184/81/1	2	14
		80/1	1	11
		146/78/1	0	5
		173/145/1	0	12
		172/145/1	1	10
		74/1	2	4
		79/1	0	4
		Total	17	17
LAHLA CHIKELIARTH		211/1	0	5
		209/1	1	1
		209/2	0	8
		212/1	4	19
		213/1	1	8
		214/1	1	16
		200/1	3	19
		257/181/1	0	17
		258/181/1	1	16
		180/1	1	4
		179/1	0	5
		178/1	1	3
		177/1	5	1
		129/1	0	5
		130/1	0	5

1	2	3	4	5
		128/1	0	11
		127/1	0	4
		126/1	0	1
		39/1	0	17
		40/1	2	2
		41/1	0	12
		38/1	0	9
		36/1	0	3
		37/1	0	4
		35/1	0	2
		30/1	1	2
		29/1	0	4
		28/1	0	6
		42/1	0	7
		47/1	0	4
		27/1	0	7
		26/1	0	13
		19/1	0	12
		18/1	0	10
		15/1	1	6
		15/2	0	1
		17/1	0	2
		17/2	0	1
		16/1	0	15
		47/2	1	4
		46/1	0	1
		48/1	0	4
		182/1	0	6
		60/1	0	3
		60/1/1	0	2
		59/1	0	8
		57/1	0	5
		56/1	0	3
		151/1	3	13
		269/54/1	0	13
		62/1	0	6
		63/1	0	1
		68/1	0	6
		70/1	0	2
		184/1	0	12
		198/1	0	2
		99/1	0	5
		185/1	0	2
		Total	45	5
LAHLA GHARTHUN		690	0	18
		555/1	0	0
		557/1	0	2
		556/2	0	2
		565/1	0	4
		566/1	0	1
		567/1	0	2
		577/1	0	1
		688/1	0	10
		689/1	1	10
		665	0	13
		638/1	0	3
		637/1	0	4
		642/1	0	8
		643/1	0	9
		664/1	0	16
		663/1	0	2
		662/1	0	3
		666/1	1	2
		667/1	0	11
		531/1	0	4
		503/1	13	18
		498/1	0	2

1	2	3	4	5	1	2	3	4	5
		116/1	0	16			1014/1	0	1
		114	0	3			1018/1	0	1
		112	0	13			1016/1	0	2
		113	0	4			1025/1	0	3
		115	0	5			1035/1	1	15
		305/1	0	2			1145/1	0	1
		110/1	0	3			1136/1	0	9
		117/1	0	10			1037/1	6	9
		123/1	0	10			1054/1	0	4
		124/1	0	13			596/1	0	4
		136/1	0	7			595/1	0	6
		137/1	0	2			593/1	0	6
		139/1	0	2			591/1	0	6
		141/1	0	9			592/1	0	3
		140/1	0	1			588/1	0	4
		142/1	0	4			587/1	0	7
		150/1	0	10			582/1	0	3
		149/1	0	9			470/1	0	5
		151/1	0	10			481/1	0	0
		153	0	3			471/1	0	14
		152/1	0	1			469/1	0	5
		154	0	1			472/1	0	2
		156/1	0	1			467/1	0	12
		155/1	0	1			459/1	0	6
		157/1	0	0			1057/1	5	15
		158/1	0	0			448/1	0	6
		161/1	0	6			444/1	0	1
		199/1	0	2			443/1	0	10
		240/1	0	1			445/1	0	11
		241/1	0	2			446/1	0	1
		239/1	0	2			447/1	0	2
		2381/1	0	11			452/1	0	1
		235/1	0	4			442/1	1	4
		234/1	0	4			349/1	0	7
		230/1	0	4			348/1	0	19
		220/1	0	3			529/1	0	11
		231/1	0	1			529/2	0	4
		228/1	0	8			453/1	0	6
		227/1	0	1			531/1	0	11
		224/1	0	6			347/1	0	9
		222/1	0	5			345/1	0	6
		219/1	0	5			222/1	0	5
		218/4	0	4			344/1	0	7
		103	1	0			209/1	0	15
		Total	33	14			215/1	0	5
LAHLA	LAHLA	1376/1	0	12			210/1	0	3
		1375/1	0	10			211/1	0	3
		1374/1	1	9			214/1	0	3
		1373/1	1	2			212/1	0	1
		1378/1	0	4			213	0	0
		1372/1	0	4			217/1	0	7
		1347/1	0	10			216/1	0	0
		1349/1	1	2			218/1	0	9
		1371/1	0	3			561/1	0	2
		1350/1	0	5			563/1	0	1
		1351/1	0	6			562/1	0	1
		1352/1	0	1			564/1	0	1
		1238/1	0	2			566/1	0	4
		1233/1	5	3			642/1	0	0
		1234/1	0	2			643/1	0	1
		1195/1	0	2			649/1	0	4
		1194/1	0	3			650/1	0	1
		1001/1	0	1			651/1	0	1
		1187/1	3	12			652/1	0	2
		1153/1	0	1			676/1	0	3
		1015/1	0	2			679/1	0	0
							196/1	0	11
							193/1	0	6

1	2	3	4	5	1	2	3	4	5
		184/1	0	6			234/1	0	9
		183/1	0	4			218/1	1	14
		178/1	1	3			219/1	0	1
		179/1	0	0					
		177/1	0	8			Total	19	05
		182/1	0	10					
		181/1	0	11	LAHLA	ANGLOH	1121/1	0	3
		176/1	0	5			145/1	0	6
		208/1	0	2			146/1	0	5
		207/1	0	2			147/1	0	8
		206/1	0	3			1120/1	16	12
							149/1	0	6
		Total	50	05			150/1	0	0
LAHLA	MADI	194	0	14			151/1	0	0
		195	0	16			153/1	0	2
		231/1	0	10			154/1	0	0
		191/1	0	2			199/1	0	3
		189/1	0	1			198/1	0	4
		192/1	0	2			190/1	0	0
		193/1	0	5			203/1	0	1
		196/1	0	18			123/1	1	1
		186/1	0	1			122/1	0	16
		204/1	0	6			121/1	0	8
		203/1	0	2			106/1	0	3
		201/1	0	1			233/1	6	14
		205/1	0	0			233/2	2	15
		207/1	0	1			266/1	4	13
		172/1	0	4			1131/1	0	10
		173/1	0	2			1132/1	0	13
		166/1	0	12			1133/1	0	5
		169/1	0	3			1139/1	0	1
		170/1	0	1			1140/1	0	7
		171/1	0	0			1145/1	0	2
							1145/2	0	3
		Total	5	01			Total	37	1
LAHLA	MATHRAR	207/1	1	13	CHACHIAN	BALORHI	6/1	8	7
		204/1	0	1			24/1	0	1
		Total	1	4			22/1	0	10
LAHLA	CHAMARKED	2/1	0	11			50/1	3	15
		3/1	1	11			26/1	8	6
		8/1	1	10			25/1	0	4
		6/1	0	1			Total	21	3
		9/1	1	12	CHACHIAN	KALOUND	922/1	7	8
		29/1	0	6			919/1	0	1
		24/1	0	4			921/1	0	10
		31/1	2	1			Total	7	19
		32/1	0	6					
		44/1	0	4					
		76/1	0	8					
		77/1	0	19					
		78/1	0	12					
		74/1	0	2					
		81	0	1					
		80/1	0	18					
		82/1	0	3					
		83/1	1	11					
		162/1	0	11					
		162/2	0	2					
		165/1	0	4					
		165/2	0	2					
		62/1	0	1					
		163/1	0	9					
		164/1	2	9					
		103/1	0	3					
			</						

1	2	3	4	5	1	2	3	4	5
		802	1	10			224/1	0	0
		800	2	9			782/1	0	8
		841/1	0	0					
		1072/1	0	0			Total	27	13
		803/1	0	1					
		805/1	0	0			Grand Total	295	7
		806/1	0	0					
		807	0	2					
		801/1	0	2					
		813/1	0	1					
		814/1	0	1					
		815/1	0	2					
		822/1	0	2					
		823/1	0	2					
		838/1	0	6					
		837/1	0	1					
		836/1	0	5					
		840/1	2	8					
		847/1	0	1					
		845/1	0	6					
		844/1	0	6					
		843	0	12					
		789/1	0	2					
		789/2	0	8					
		788/1	0	9					
		778/1	0	2					
		453	0	8					
		454/1	0	0					
		468/1	0	0					
		470	0	15					
		452	0	13					
		471/1	0	3					
		779/1	0	4					
		780/1	0	8					
		787/1	1	8					
		787/2	0	14					
		781	0	9					
		451/1	0	9					
		783/1	0	3					
		786/1	4	2					
		228/1	0	4					
		226/1	0	6					

R. C. KALIA,
Superintending Engineer,
5th Circle, H. P. P. W. D.,
Dharamsala.

Simla, the 18th December, 1974

No. SE-II-PH-44/74.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by Government at public expense for a public purpose, namely for construction of Water Supply Scheme for villages Mehli Group of villages, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department Simla-9.

SPECIFICATION

District: SIMLA		Tehsil: SIMLA	
Village	Khasra No.	Area	
		Big.	Bis.
1	2	3	4
CHELI	294	1	12
CHOLA	295	2	3
Total		3	15

O. P. SUBHLOK,
Superintending Engineer,
2nd Circle, H. P. P. W. D., Simla.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिश्नर तथा कमिश्नर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

DISTRICT GAZETTEERS BRANCH

ANNEXURE I

NOTIFICATION

Simla-2, the 26th November, 1974

No. Gaz-13-1/66-715.—In exercise of the powers conferred under proviso to Article 309 of the constitution, the Governor, Himachal Pradesh, is pleased to frame the Recruitment and Promotion Rules, as in the attached Schedule, for the post of Accountant (Class III, Non-Gazetted) in the District Gazetteers Branch.

These rules shall come into force from the date of issue of this notification.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ACCOUNTANT (CLASS III NON-GAZETTED) IN THE DEPARTMENT OF REVENUE (DISTRICT GAZETTEERS) UNIT, HIMACHAL PRADESH, GOVERNMENT

1. Name of posts .. Accountant.
2. Number of posts .. One.
3. Classification .. Class III (Non-Gazetted).
4. Scale of .. Rs. 160-400.

5. Whether selection post or non-selection post .. Non-selection.
6. Age for direct recruits .. 18—27 years.
7. Minimum educational and other qualifications required for direct recruits .. Matriculation or Higher Secondary Part I having accounts experience of at least five years in the Unit.
8. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees. No.
9. Period of probation, if any .. Two years.
10. Method of recruitment or by promotion/deputation/transfer and the percentage of vacancies to be filled by various methods. 100% by promotion failing which by direct recruitment.
11. In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made. of Rs. 110-250 with 5 years service in the grade.
12. If a DPC exists what is its composition:— Class III D.P.C.
13. Circumstances in which H.P. P.S.C. is to be Consulted in making recruitment. Not applicable.

Note.—1. Provisions of col. 10 and 11 are to be revised by the Government in consultation with the Himachal Pradesh Public Service Commission as and when the number of posts under column No. 2 are increased or decreased.

2. Where the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons of post.

L. TOCHHAWNG,
Financial Commissioner.

OFFICE OF THE DIVISIONAL COMMISSIONER, HIMACHAL PRADESH

NOTIFICATION

Simla-2, the 10th December, 1974

No. 2-20/69-Commr.—The result of the Naib-Tehsildars Departmental Examination in respect of Shri Vishwa Nath, Kanungo, which was held vide this office notification of even number, dated the 5th March, 1974, is hereby released as follows:—

Sl. No.	Roll No.	Name and designation	District	Paper No. Max. Marks Min. Marks	Marks awarded in Paper	
					Revenue	Patwari Mansur- ration
1	2	3	4	5	6	7
1.	261	Sh. Vishwa Nath, Kanungo.	Kulu	—	Pass	—

Tenancy	Registration and Excise	Criminal	Civil	Treasury	Hindi
8	9	10	11	12	13
Fail	—	—	—	—	Fail

ANANG PAL,
Financial Commissioner.

FINANCE DEPARTMENT

(TREASURIES AND ACCOUNTS ORGANISATION)

NOTIFICATION

Simla-2, the 29th October/6th December, 1974

No. 20-28/68-Fin. (T&A).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to make the following Rules, further to amend the Recruitment and Promotion Rules in respect of Class III Non-gazetted posts of Assistant Treasury Officers and Senior Auditors (OB) namely:—

- Short title and commencement.**—(i) These rules may be called the Himachal Pradesh Class III Non-gazetted posts of Assistant Treasury Officers and Senior Auditors (OB) Recruitment and Promotion (First amendment) Rules, 1974.
- (ii) These rules shall be deemed to have come into force with effect from 1st August, 74.
- Substitution of Note below the Annexure for the posts of Assistant Treasury Officers.**—Note 1 below the Annexure to the Himachal Pradesh Class III Non-gazetted posts of Assistant Treasury Officers and Senior Auditors (OB) Recruitment and

Promotion Rules, 1974 in respect of the posts of Assistant Treasury Officers shall be substituted by the following, namely:—

"Note 1. Upper age limit for direct recruits will not be applicable to the candidates who are already

in the service of Himachal Pradesh Government."

ANANG PAL,
Commissioner for Finance and Secretary.

भाग 4—स्थानीय स्वायत्त: शासन म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड ग्रौर टाउन एरिया तथा पंचायत विभाग

सून्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

In the Court of Senior Sub-Judge-cum-Chief Judicial Magistrate, District Una, Una, Himachal Pradesh

No. 9 of 1973

Smt. Kuldip Kaur w/o Jodh Singh, r/o Kartar Niwas, Una Petitioner.

Versus

Sardar Jodh Singh Josh, B-12, Lajpat Nagar 3rd, New Delhi Respondent.

Whereas in the above noted case summons to the above noted defendants were issued several times to effect the service. But the report of the process server has come that you are evading the service of the summons issued against you for your service. The Court is satisfied that you cannot be served through the ordinary service. Hence proclamation is issued against you to appear in this court on 20-1-75 personally or through an authorised agent, failing which *ex-parte* proceedings will be taken against you.

Given under my hand and the seal of the court this 3rd day of December, 1974.

Seal.

Sd/-
Senior Sub-Judge,
Una.

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

In the court of Shri J. K. Gupta, Sub-Judge, Class III Palampur

Civil Suit No. 26 of 1974

Sh. Charanji Lal Vs. Sh. Rajinder Singh etc.

Versus

1. Sh. Jagdish Chand, 2. Sh. Manmohan Singh s/o Sh. Rup Singh, 3. Smt. Ahlya Devi wd/o Rup Singh, caste Rajput, all residents of Tanda, Mauza Ghugar, Tehsil Palampur, District Kangra. defendants.

Whereas in the above-noted court the plaintiffs Charanji Lal etc. have filed a suit for declaration on 13-2-74. In this behalf summons/notice to the above-named defendants were issued several times but they were evading the services or have concealed themselves. Now it has been proved to the satisfaction of this Court that the above-named defendants cannot be served through ordinary way, hence this proclamation under order 5, rule 20, C. P. C. is

issued against them that they should appear in this Court on 2-1-1975 at 10 A. M. personally or through an authorised agent or pleader failing which the *ex-parte* proceeding shall be taken against them.

Given under my hand and the seal of the Court on 17th day of December, 1974.

Seal.

J. K. GUPTA,
Sub-Judge Class III, Palampur.

PROCLAMATION REQUIRING THE APPEARANCE OF A PERSON ACCUSED

(See Section 82)

In the Court of Chief Judicial Magistrate, Kinnaur District. Kalpa

State

Versus

Shri Rameshwar Singh son of Shri Bir Singh, resident of village Kanahi, Police Station Kalpa, at present No. 7086304 Sep. Driver (Rec.) 4 Hours LRW c/o 56 APO.

Whereas complaint has been made before me that Shri Rameshwar Singh son of Shri Bir Singh, resident of Village Kanahi, Police Station Kalpa, at present No. 7086304 Sep.(Driver)(Rec.) 4 hours Lrw c/o 56 A.P.O. has committed the offence of theft punishable under section 380 of the Indian Penal Code and it has been returned to a warrant of arrest thereupon issued that the said Rameshwar Singh can not be found, and whereas it has been shown to my satisfaction that the said Rameshwar Singh has absconded (or concealing himself to avoid the service of the said warrant).

Proclamation is hereby made that the said Rameshwar Singh is required to appear at Kalpa before this Court to answer the said complaint on the 14th day of February, 1975.

Given under my hand and the seal of this court this 12th day of December, 1974.

Seal.

RAJA RAM,
Chief Judicial Magistrate,
Kinnaur district, Kalpa.

In the Court of Shri Rameshwar Sharma
Sub-Judge, Dharamsala

(PROCLAMATION UNDER ORDER 5, RULE 20 C.P.C.)

Civil Suit No. 15 of 1972
Ram Chand *Versus* Prema etc.

To

3. Jaishi Ram, resident of Dohab, Tehsil & District Kangra.

5. Sahni Devi d/o Mahantu, resident of village Dohab, Tehsil and District Kangra.
6. Smt. Vidya Devi d/o Mahantu, r/o Dohab, Tehsil & District Kangra. ..(Defendants).

Whereas the plaintiff (Ram Chand s/o Bansi Ram) has filed a suit for declaration on 2-12-1971 in this court against Shri Prema and other defendants. In this behalf notices/summons have been issued several times against the above named defendants Nos. 3, 5 and 6 but they are evading the service. It has been proved to the satisfaction of this court that the above named defendants cannot be served through ordinary way, hence this proclamation under order 5, rule 20 C.P.C. is issued against them that they should appear in this court on 9-1-1975 personally or through pleader or any authorised agent, failing which *ex-parte* proceedings shall be taken against them.

Given under my hand and the seal of the court this 11th day of December, 1974.

Seal.

RAMESHWAR SHARMA.
Sub-Judge, Dharamsala.

PROCLAMATION UNDER ORDER 5, RULE 20, CPC

Before Kanwar Sarjit Singh Arbitrator (Advocate)
Lyndhurst West, The Mall, Simla (Adjoining Simla Hotel)

In case:

The Himprastha Financiers (P) Ltd., The Mall, Simla .. (Plaintiff)

Versus

Suri Shiv Ram Thakur, village and Post Office Badhaighat, (Taradevi) Simla Hills.

To

Shri Shiv Ram Thakur,
Village and Post Office Badhaighat (Taradevi),
Simla Hills

Whereas in the above noted case it has been proved to my satisfaction that the above named defendant Shri Shiv Ram Thakur cannot be served in the normal mode of service. Hence this proclamation is hereby issued against him and he is directed to appear before me on 5th January, 1975, at 11 A.M. personally or through a pleader or authorised agent, failing which *ex-parte* proceedings will be taken against him.

Given under my hand this 14th day of December, 1974 at Simla.

KANWAR SARJIT SINGH,
Arbitrator,
(Advocate) Lyndhurst West,
The Mall, Simla.

इशतहार

आर्डर 5, रूल 20, जाबता दीवानी

न्यायालय श्री आर० के० गुप्ता, सब-जज, ऊना, जिला ऊना
दीवानी मुकदमा नं० 483, साल 1972

श्रीमती विद्या देवी दुधतर लाल मन बेवा वकील सिंह, जाति राजपूत, ग्रामी टकोली, मौजा वैह, तहसील व जिला ऊना .. मुद्देया ।

बनाम

श्री जगदीश चन्द पुत्र रण सिंह, बगैरा सकना टकोली, मौजा वैह, तहसील व जिला ऊना .. मुद्दालयम ।

बनाम : सर्वश्री (1) जगदीश चन्द, (2) अजमेर सिंह, गुरजीत सिंह बालगान, (4) कशमीर सिंह नाबालग पिसगान रण सिंह नाबालग बबलायत जगदीश चन्द ब्रदर खुद, सकना टकोली, मौजा वैह, तहसील व जिला ऊना, (5) बलदेव सिंह पुत्र लच्छमण सिंह, सकना टकोली, हाल गांव पन्डोगा, तहसील व जिला ऊना, (6) जगदेव सिंह पुत्र लच्छमण सिंह, सकना टकोली, (7) श्रीमती सत्या देवी दुधतर लच्छमण, सकना टकोली, मौजा वैह, तहसील व जिला ऊना, (8) सतपाल, (9) बलवीर सिंह पिसरान तुशला देवी मृतक नाबालगान वजरिया श्री बलदेव सिंह, प्रतिवादी, सकना पन्डोगा, तहसील व जिला ऊना .. प्रतिवादीगण ।

मुकदमा मुद्दजा उनवान बाला में उपरोक्त प्रतिवादीगण के नाम कई बार समनात जारी किए जा चुके हैं। समनात रिपोर्ट से अदालत को पूर्ण विश्वास हो चुका है कि उक्त प्रतिवादीगण की तामील सरल ढंग से होना कठिन है। अतः बजरिया अखबार इशतहार उक्त प्रतिवादीगण को सूचित किया जाता है कि यदि मुकदमा सम्बन्धी कोई उजर हो तो बतारीख 15-1-75 प्रातः दस बजे अदालत या वकालत हाजर अदालत आकर पैरवी मुकदमा करें। बसूरत दिगर कार्यवाही आपके खिलाफ यकतरफा अमल में लाई जावेगी।

आज दिनांक 13-12-74 को मेरे हुस्नाधर व मोहर अदालत सहित जारी हुआ ।

आर० के० गुप्ता,
सब-जज, ऊना ।

मोहर ।

अदालती इशतहार

व अदालत श्री आकर राम नेगी साहिब ऐसिस्टेंट क्लैक्टर दर्जा दोयम (S. N. T.) बन्दोबस्त दीलतपुर सरकल कांगड़ा हिमाचल प्रदेश

इशतहार जेर आर्डर 5, रूल 20, जाबता दीवानी

विषय—तस्दीक इन्तकाल नम्बर 103 मुहाल बाड़ी मौजा लहणा हदबस्त नम्बर 105/7 तहसील कांगड़ा हिमाचल प्रदेश । श्रीमती लीला विधवा अमी चन्द पुत्र गोपी, निवासी मंहाल बाड़ी ।

बरवक्त तस्दीक इन्तकाल नम्बर 103 मुहाल बाड़ी मौजा लहणा नम्बर हदबस्त 105/7 जान चन्द बेवा श्रीमती लीला ने तस्दीक किया कि श्रीमती लीला विधवा अमी चन्द अरसा 28-29 वर्ष से लापता है । उनकी ओर से किसी किस्म की चिट्ठी पत्री नजदीकी रिश्तेदार या दिगर को नहीं आई जिसके अधीन ई० नम्बर 103 दिनांक 16-9-74 को दर्ज रजिस्टर हुआ है । न ही उसके जीवित व वफात का ज्ञात है । आम जनता कयास करती

है कि अब श्रीमती लीला मजकूरा इस जहाँ में जीवित नहीं। अतः इस्तहार हजा द्वारा आम व खाम को सूचना दी कि अगर श्रीमती लीला मजकूरा जीवित हो तो वह अन्तर एक माह अनाल-तन या वकालतन हाजर आकर पैरवी करे, म्याद इस्तहार गुजरने पर क्यास किया जावेगा कि श्रीमती लीला मजकूरा इस जहाँ में जीवित नहीं और उक्त इन्तकाल व हक वारसान श्रीमती मत्या देवी पुत्री अश तस्दीक किया जावेगा।

इस्तहार हजा आज दिनांक 2 दिसम्बर, 1974 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

ठाकरू राम नेगी,
भू-प्रबन्ध सहायक समाहर्ता,
द्वितीय श्रेणी सरकार, दौलतपुर।

इस्तहार जेर आर्डर 5, रूल 20, जाबता दिवानी

ब अदालत जनाब श्री पी० पी० श्री वास्तवा, आई० ए० एस०,
डिवीजनल कमिशनर, हिमाचल प्रदेश, जिमला-4

मिसल नं० 107/74

सर्व श्री युदवीर सिंह उर्फ श्री बुद्ध सिंह पुत्र दीनदयाल व श्री गोपाल सिंह पुत्र श्री दीनदयाल, टारना मुहल्ला, मण्डी टाउन, जिला मण्डी अपीलान्त।

बनाम

सर्व श्री गुलाब सिंह पुत्र श्री अछरू वगैरा, सकना मौजा बकना, काका पण्डोह, तहसील व जिला मण्डी

रिस्पानडेंट (फ़दीकसानीयान)।

अपील जेर दफा 14 हिमाचल प्रदेश लैंड रैक्व्यू ऐक्ट, 1953
बनाराजगी हुक्म कुलैक्टर मण्डी मिति 17-5-1974

बनाम

सावणू पुत्र बसाखु (फ़दीकसानी)

इस अदालत को अपीलान्त व तामील कुनिन्दा से पूर्ण यकीन हो चुका है कि सर्व श्री सावणू पुत्र बसाखु, मौजा बरोन, मुहल्ला, इलाका पण्डोह, तहसील व जिला मण्डी फ़दीकसानी पर साधारण सम्पन्न द्वारा तामील समन नहीं हो सकती अतः इस घोषणा द्वारा उपरोक्त फ़दीकसानी को सूचित किया जाता है कि असालतन व वकालतन अपने मुकदमा की पैरवी अदालत हजा में हाजर होकर तिथि 31-12-1974 मुकाम मण्डी (कमरा अदालत डी० सी० मण्डी) को वक्त 10 बजे प्रातः करें। यदि आप हाजर अदालत न होंगे तो आपके खिलाफ कार्यवाही यकतरफा अमल में लाई जावेगी। बाद गुजरने मियाद कोई उजर काबले समायत न होगा।

आज बतारीख 23-12-1974 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

पी० पी० श्री वास्तवा,
डिवीजनल कमिशनर,
हिमाचल प्रदेश।

न्यायालय श्री आर० एल० खुराना, मीनियर सब-जज, कांगड़ा स्थान धर्मशाला

उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना पत्र

मुकदमा नम्बर 11 साल 1974

(1) श्रीमती पानी देवी विधवा, (2) खुशाल सिंह उमर 13 साल और (3) जमवन्त सिंह उमर 15 वर्ष पुत्र सूबेदार दलीप सिंह पुत्र जै गोपाल सिंह, स्थान जालान बेदी, मौजा रायपुर, तहसील पालमपुर जिला कांगड़ा, (हिमाचल प्रदेश) प्रार्थी नम्बर 2 और 3 नाबालग द्वारा उनकी माता श्रीमती पानी देवी उनकी बली नाबालगान।

बनाम

सर्व जन्ता

उपरलिखित मुकदमा उनवान बाला में मायलान ने उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र इस न्यायालय में दिया है अतः इस्तहार द्वारा सर्व जनता को सूचित किया जाता है कि यदि इसके विषय में कोई आपत्ति हो तो तिथि 6-1-75 को उपस्थित न्यायालय हो कर प्रस्तुत करें। अन्यथा आगामी कार्रवाई की जावेगी।

आज तिथि 16-12-74 को मेरे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

आर० एल० खुराना,
मीनियर सब-जज।

न्यायालय श्री आर० एल० खुराना, मीनियर सब-जज, महोदय,
कांगड़ा स्थान धर्मशाला

उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र

मुकदमा नम्बर 12 साल 1973

श्री भगत राम पुत्र सोरमा, जाति बाहडी, स्थान टीका भाटाला, मौजा धर्मशाला, तहसील व जिला कांगड़ा।

बनाम

सर्व जनता

उपरलिखित मुकदमा उनवान बाला में सायल ने उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र इस न्यायालय में दिया है अतः इस्तहार द्वारा सर्व जनता को सूचित किया जाता है कि यदि इस के विषय में कोई आपत्ति हो तो तिथि 1-3-75 को उपस्थित न्यायालय हो कर प्रस्तुत करें अन्यथा आगामी कार्रवाई की जावेगी।

आज तिथि 16-12-74 को मेरे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

आर० एल० खुराना,
सीनियर सब-जज।

न्यायालय श्री आर० एल० खुराना, सीनियर सब-जज महोदय,

कांगड़ा स्थान धर्मशाला

उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र

मुकदमा नम्बर 23 साल 1973

श्री मोरख चन्द पुत्र ठुनियां उपनाम रनिषा राम पुत्र नन्दू, जाति धिरथ, स्थान कठेहड़, मौजा मुहारा, डाकघर दोला वाया हरिपुर, तहसील देहरा, जिला कांगड़ा।

बनाम

न्यायालय श्री आर० एल० खुराना, सीनियर सब-जज महोदय,
कांगड़ा, स्थान धर्मशाला

उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र

मुकदमा नम्बर 13 साल 1973

श्री भगत राम पुत्र सोरमा, जाति बाहड़ी, स्थान टीका भाटवा, मौजा धर्मशाला, तहसील व जिला कांगड़ा।

बनाम

सर्व-जनता -

उपरलिखित मुकदमा उनवान बाला में सायल ने उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र इस न्यायालय में दिया है अतः इस्तहार द्वारा सर्व जनता को सूचित किया जाता है कि यदि इस के विषय में कोई आपत्ति हो तो तिथि 1-3-75 को उपस्थित न्यायालय हो कर प्रस्तुत करें अन्यथा आगामी कार्रवाई की जावेगी।

आज तिथि 16-12-1974 को मेरे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

आर० एल० खुराना,
सीनियर सब-जज।

(1) श्रीमती रेस कुमारी पुत्री ठुनियां उपनाम रनियां राम पत्नी श्री प्रसोतम लाल, जाति धिरथ, स्थान सरकपर, डाकघर सोथल, तहसील देहरा, जिला कांगड़ा।

(2) सर्व जनता।

उपरलिखित मुकदमा उनवान बाला में सायल ने उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना पत्र इस न्यायालय में दिया है अतः इस्तहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि इस के विषय में कोई आपत्ति हो तो तिथि 10-1-75 को उपस्थित न्यायालय हो कर प्रस्तुत करें अन्यथा आगामी कार्रवाई की जावेगी।

आज तिथि 16-12-74 को मेरे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

आर० एल० खुराना,
सीनियर सब-जज,

HIMACHAL PRADESH UNIVERSITY, SIMLA NOTIFICATION

Simla-171005, the 12th December, 1974

No. HPU/Fin/A/Cs(1970-71). Vol. II.—The Accounts of the H. P. University for the year 1970-71 along with the Audit Certificate by the Accountant General, Himachal Pradesh are hereby published as per Annexure 'A' and 'B' for public information, under section 29(2) of the Himachal Pradesh University Act, 1970 (Act No. 17 of 1970).

G. L. SHARMA,
Registrar.

HIMACHAL PRADESH UNIVERSITY (AGRICULTURAL COMPLEX)

Statement of Assets and Liabilities inherited from Punjab Agricultural University

LIABILITIES		ASSETS	
	Rs.		Rs.
C.P.F.	3,49,841.00	C.P.F. Recoverable from P.A.U.	3,49,841.00
Security Deposits of Contractors	23,330.42	Building material (construction) Stock and Storage)	5,42,773.03
Sundry creditors (Purchases)	87,029.25	Manufacture	84,477.47
Bank Balance (Old PAU's A/c)	404.00	Sundry debit (Misc. Advances of construction division)	2,09,671.20
Excess assets over liabilities	7,94,917.17	Cash and bank balances	68,759.14
Total	12,55,521.84		12,55,521.84

Note.—This statement does not include tangible assets like buildings, vehicles, machinery, equipment, books, etc. which are yet to be evaluated.

RECEIPTS

A. GENERAL EDUCATION:

(a) Opening balance	Nil
(b) Revenue Account:	
(i) Grants (State Government)	7,00,000.00
(ii) Examination and other fees	6,69,346.55

Total (b) Revenue A/c. .. 13,69,346.55

(c) Deposits and Advances:

(i) Security Deposits	9,900.00
(ii) Youth festival	1,800.00
(iii) Telephone Advances	12,267.10
(iv) Pay Advances	2,000.00
(v) Festival Advances	60.00
(vi) T.A. Advances	50.00
(vii) Amount awaiting Remittance:	

(a) G. P. Fund 10	20.00
(b) Misc. 10	
(viii) Grants Payable to Agr. Complex:	
2472,360.00	1,00,600.00
2371,760.00	

Total (c) Deposits and Advances .. 1,26,697.10

Total A.—General Education .. 14,96,043.65

B. AGRICULTURAL COMPLEX:

(a) Opening Balance:	
(i) Bank	61,211.36
(ii) Cash	7,547.78
(Const. Div.)	

68,759.14

(b) State Agr. Schemes Grants:	
(State Government)	15,57,260
Other Receipts	49,265.34

16,065,25.34

(c) State A. H. Schemes Grants (State Government).

(d) I.C.A.R. Schemes Grants:	
(I.C.A.R.)	2,50,144
Other Receipts	19,461.16

2,69,605.16

(e) Debt Deposits and Advances:

(i) G.P. Fund	1,39,971.00
(ii) Stock (Const. Div.)	87,798.26
(iii) Advances	42,352.51
(iv) Bank Over Drafts	3,14,697.96

Total (e) Debt Deposits and Advances .. 5,84,819.73

Total B. Agr. Complex .. 25,29,709.37

PAYMENT

A. GENERAL EDUCATION:

(a) Revenue A/c:	
(1) Administration:	
(i) Office Salaries	65,042.53
(ii) Common services and General Charges	61,695.59
(iii) Bank charges	477.87
(2) Examinations	97,001.85

Total (a) Revenue A/c. .. 2,24,217.84

(b) Capital Account:

(i) Furniture and fixture	86,653.80
(ii) Typewriters and Duplicators	30,822.30
(iii) Vehicles	43,372.91
(iv) Books	34,464.41
(v) Telephones (OYT) Initial Deposit	20,000.00

Total (b) Capital A/c. .. 2,15,313.42

(c) Deposits and Advances:

(i) Secrecy A/c.	1,00,000.00
(ii) Youth Festival	6,300.00
(iii) Security Deposits	9,000.00
(iv) Youth Festival	1,800.00
(v) Pay advance	2,900.00
(vi) Festival advance	100.00
(vii) T.A. Advance	3,000.00
(viii) Telephone connection advance	12,267.10
(ix) Postage advance	350.00
(x) Security Deposits	50.00
(xi) Examination advances	30,845.00
(xii) Works advances	1,144.00
(xiii) Permanent imprest	3,000.00

Total (c)—Deposit and Adv. 1,70,956.10

(d) Cash Balance Bank .. 8,85,356.29

Total A.—General Edu. .. 14,96,043.65

B. AGRICULTURAL COMPLEX:

(a) Revenue Accounts:

I. State Agricultural Scheme:	
(i) General Administration	1,59,679.32
(ii) Teaching including students welfare	5,85,237.34
(iii) Research	4,93,906.41
(iv) Extension Education	1,90,883.05

II. State A. H. Schemes:

(c) Research	14,027.31
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III. I.C.A.R. Schemes:

(i) Research	2,59,859.72
(ii) Extension Education	5,143.79

IV. Tea Board Schemes:

(i) Research	16,491.55
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Total (a) Revenue A/c 17,25,228.49

(b) Capital Account:

I. State Agricultural Schemes:

(i) Building	2,35,654.00
(ii) Equipment	78,115.16
(iii) Books	58,558.71
(iv) Vehicles and Farm Machinery	1,03,523.54
(v) Furniture and Fixture	2,000.00

RECEIPTS

PAYMENT

II. State Agricultural Schemes:	
(i) Equipments	5,086.46
III. I.C.A.R. Schemes:	
(i) Equipments	17,064.78
(ii) Vehicles and Farm Machinery	25,000.00
IV. Tea Board Schemes	Nil.
Total (b) Capital A/c.	5,25,002.65
(c) Deposits and Advances:	
(i) C.P.F. Investments	1,38,303.00
(ii) Cheques issued for C.P.F. investments	1,668.00
(iii) Security Deposits (Const. Div.)	10,548.02
(iv) Sundry creditors (Purchases by Const. Div.)	62,063.89
(v) Expenditure of Stocks awaiting adjustment	15,450.47
(vi) Remittance in Transit (Palampur to Solan)	20,000.00
Total (c) Deposits and Advances	2,48,033.38
(d) Closing Balance:	
(i) Old P.A.U. A/c.	404.00
(ii) Cash with Const. Div.	31,040.85
Total Closing Balance	31,444.85
Total B.—Agricultural Complex	25,29,709.37
Grand Total	40,25,753.02

Grand Total 40,25,753.02

Grand Total 40,25,753.02

Income and Expenditure Account for the year 1970-71 (22-7-70 to 31-3-71)

EXPENDITURE

INCOME

A—GENERAL EDUCATION:	
Salaries	65,042.53
Telephone connection	1,000.00
General Expenditure	61,625.59
Examination Expenses	97,001.85
Bank Charges	477.87
Excess of income over expenditure	11,44,128.71
Total General Education	13,69,346.55
AGRICULTURAL COMPLEX:	
(a) State Agr. Schemes:	
General Administration	1,59,679.32
Teaching and Students Welfare	5,85,237.34
Research	4,93,906.41
Extension Education	1,90,883.05
Total Agr. Schemes	14,29,706.12
(b) State A. H. Schemes	14,027.31
(c) I.C.A.R. Schemes Research Extension Education	2,59,859.72
	5,143.79
Total I.C.A.R.	2,65,003.51

A—GENERAL EDUCATION:	
Examination fee etc.	6,69,346.55
Grants-in-aid	7,00,000.00
Total General Education	13,69,346.55
B—AGRICULTURAL COMPLEX:	
I. Grants-in-aid:	
(a) State Agr. Schemes	23,79,760.00
(b) State A. H. Scheme	36,600.00
(c) I.C.A.R. Scheme	2,99,338.00
II. Misc. Receipts:	
(a) State Agr. Schemes	49,265.34
(b) State A. H. Schemes	—
(c) I.C.A.R. Scheme	19,461.16
Total Agr. Complex	27,84,424.50

EXPENDITURE

INCMOE

(d) Tea Board Schemes:	
Research	16,491.55
Excess of income over expenditure	10,59,196.01
Total Agr. Complex	27,84,424.30
Grand Total	41,53,771.05

Grant Total 41,53,771.05

Statement of Assets & Liabilities as on 31-3-1971

LIABILITIES

ASSETS

1. Excess of assets over liabilities inherited from P. A. U. (Agr. Complex)	7,94,917
2. C. P. Fund (Agr. Complex) during the year 21-7-70	3,49,841 1,43,270 } 4,93,111
3. Sundry creditors (Agr. Comp.)— Purchased by Const. division as on 21-7-1970 During the year(—)	87,029 62,064 } 24,965
4. (a) Security Deposits of contractors as on 21-7-70 (Agr. Complex) During the year(—) (b) Security Deposits (Genl. Edu.) (Agr. Comp.)	23,331 10,548 } 13,683 900
5. Overdrawals from Banks: S. B. I. Palampur S. B. I. Kulu S. B. Patiala, Solan	2,86,597 20,605 7,496 } 3,14,698
6. Bank Balance (Old PAU/Accounts)	404
7. Amounts awaiting remittance— (H/ office): (a) G. P. Fund (b) Misc.	10 10 } 20
8. Security deposits	200
9. Excess of Income over expenditure: Genl. Education Agricultural Complex	11,44,129 10,59,196 } 22,03,325
Total: —	38,45,123.00

1. Buildings (Agr. Comp.)	2,35,654
2. (a) Vehicles (Agr. Comp.)	1,28,523
(b) Vehicles (Head off.)	43,373 } 1,71,896
3. Equipment (Agr. Comp.)	1,00,266
4. (a) Books (Agr. Comp.)	58,549
(b) Books (Head Office)	34,464 } 93,023
5. (a) Furniture: & Fixture (i) Agr. Complex (ii) Head Office (b) Typewriter & Duplicators (c) Telephone connection of Head office Less Expenditure detailed during the year	2,000 86,654 } 88,654 30,822 20,000 1,000 } 19,000
6. Construction stores as on 21-7-70 (Agr. Comp.) During the year(—)	5,42,773 57,819 } 4,84,954
7. Manufacture accounts (Agr. Complex)	54,498
8. Sundry debtors (Agr. Complex). (Misc. adv. of const. Division as on 21-7-70 During the year(—)	2,09,671 42,352 } 1,67,319
9. Investment of C. P. Fund (Agr. Complex): (i) Fixed Deposits (ii) Saving Bank Acct.	1,38,303 1,668 } 1,39,971
10. C. P. Fund recoverable (Agr. Complex): from P. A. U.	3,49,841
11. C. P. Fund reserve fund (Agr. Complex) (Loss).	3,299

LIABILITIES

ASSETS

	12. Grants:	
	Remittance in transit:	
	State Agr. Schemes ..	7,22,500
	State A. H. Scheme ..	36,000
	I. C. A. R. Scheme ..	49,194
		8,07,694
	13. Transfer within University awaiting final adjustments (Agr. Complex)	15,451
	14. Remittance in transit (from S. B. I. Palampur to S. B. P. Sofan (Agr. Complex) ..	20,000
	15. Bank Balance (old P. A. U. Accounts) ..	404
	16. Secrecy work suspense (H. Q.) ..	1,00,000
	17. Youth Festival (H. Q.) ..	6,500
	18. Permanent Advance (H. Q.):	
	Vouchers	2383
	Cash	617
		3,000
	19. Pay and T. A.	3,850
	20. Festival	40
	21. Postage	350
	22. Security deposits	50
	23. Exam. Adv.	30,845
	24. Works	1,144
	25. Cash at Bank H/office	8,85,557
	26. Cash in hand (Agr. Comp.)	31,041
B. F.	38,45,123.	38,45,123

AUDIT CERTIFICATE

I have examined the Receipt and payment Account for the year ended the 31st March, 1971 and the statement of Assets and Liabilities as on that date of the Himachal Pradesh University, Simla, and subject to observations in a separate report, I certify, as a result of my audit, that in my opinion the Receipt and payment Account and the statement of Assets and Liabilities are properly drawn up so as to exhibit a true and fair view of the state of affairs of Himachal Pradesh University Simla, according to the best of my information and explanations given to me and as shown by the books of Himachal Pradesh University, Simla.

P. C. ASTHANA,

20-10-74

Accountant General, Himachal Pradesh.

ATTESTED

RAMESHWARSHARMA,

Finance Officer.

H. P. University, Simla,

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

**LAW DEPARTMENT
NOTIFICATION**

Simla-2, the 17th February, 1972

No. 12-11/71-LR.—The following Acts recently passed by the Parliament which have already been published in the Gazette of India, Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Small Coins (Offences) Act, 1971 (52 of 1971).
2. The Forward Contracts (Regulation) Amendment Act, 1971 (53 of 1971).
3. The Coal Bearing Areas (Acquisition and Development) Amendment and Validation Act, 1971 (54 of 1971).
4. The Arms (Amendment) Act, 1971 (55 of 1971).
5. The Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971 (56 of 1971).
6. The Visva-Bharati (Amendment) Act, 1971 (57 of 1971).
7. The Naval and Aircraft Prize Act, 1971 (59 of 1971).
8. The Companies (Surcharge on Income-Tax) Act, 1971 (62 of 1971).
9. The Jayanti Shipping Company (Acquisition of Shares) Act, 1971 (63 of 1971).
10. The Coking Coal Mines (Emergency Provisions) Act, 1971 (64 of 1971).
11. The Asian Refractories Limited (Acquisition of Undertaking) Act, 1971 (65 of 1971).

JOSEPH DINA NATH,
Under Secretary (Judicial).

Assented to on 11-12-1971.

**THE SMALL COINS (OFFENCES) ACT, 1971
(ACT NO. 53 OF 1971)**

AN
ACT

to provide for the prevention of melting or destruction of small coins, hoarding of small coins for the purpose of melting or destruction thereof, and for matters connected therewith or incidental thereto.

WHEREAS an acute shortage of small coins has been felt in the country and it is necessary, in the interests of the general public, to take steps to relieve such shortage;

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. **Short title and duration.**—(1) This Act may be called the Small Coins (Offences) Act, 1971.
- (2) It shall remain in force for a period of three years.
2. **Definitions.**—In this Act, unless the context otherwise requires,—
 - (a) "mint" means a mint of the Government of India;
 - (b) "small coin" means any coin of the value of less than one rupee, which is legal tender under the Indian Coinage Act, 1906 (3 of 1906).
3. **Prohibition on melting or destruction of small coins.**—No person shall—

- (a) melt or destroy any small coin, or
- (b) have in his possession, custody or control—
 - (i) any melted coin, whether in the molten state or in a solid state, or
 - (ii) any small coin in a destroyed or mutilated state, or
 - (iii) small coins substantially in excess of his reasonable requirements in such circumstances as to indicate that he is having the possession, custody or control of such small coins for the purpose of making or destroying such small coins.

Explanation.—For the purpose of determining the reasonable requirements of small coins of a person, due regard shall be had to—

- (i) his total daily requirements of small coins,
- (ii) the nature of his business, occupation or profession,
- (iii) the mode of his acquisition of small coins, and
- (iv) the manner in which, and the place at which, such small coins are being possessed, held or controlled by him.

(2) Whoever is found to be in the possession of any metal, which contain alloys in the same proportions in which they have been used in the manufacture of any small coin, shall be presumed, until the contrary is proved, to have contravened the provisions of sub-section (1).

(3) Nothing contained in sub-section (1) or sub-section (2) shall apply to the mint.

4. **Penalty for contravention of section 3.**—Whoever contravenes any provision of sub-section (1) of section 3 without any reasonable excuse, the burden of proving of which shall lie on such person, shall be punishable with imprisonment for a term of not less than three months but not more than five years.

5. **Offences by companies.**—(1) Where an offence against this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of its business, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any person liable to punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) "company" means any body corporate and includes a firm, society or other association of individuals; and
- (b) "director",—
 - (i) in relation to a firm, means a partner in the firm.

- (ii) in relation to a society or other association of individuals, means the person who is entrusted, under the rules of the society or other association, with the management of the affairs of the society or other association, as the case may be.

6. *Offences to be cognizable, bailable and not compoundable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), offences against this Act shall be cognizable and bailable but shall not be compoundable.

7. *Offences may be tried summarily.*—Notwithstanding anything contained in section 260 of the Code of Criminal Procedure, 1898 (5 of 1898), offences against this Act may be tried summarily by a Presidency Magistrate or a Magistrate of the first class.

8. *Forfeiture.*—Any small coin or metal in relation to which any offence against this Act has been committed shall be forfeited to Government.

9. *Provisions of Act 20 of 1958 not to apply to offences under this Act.*—Nothing in the Probation of Offenders Act, 1958, shall apply to any offence against this Act.

10. *Repeal.*—The Small Coins (Offences) Ordinance, 1971 (15 of 1971), is hereby repealed.

Assented to on 11-12-1971.

THE FORWARD CONTRACTS (REGULATION)

AMENDMENT ACT, 1971

(ACT No. 53 OF 1971)

AN ACT

furthest to amend the Forward Contracts (Regulation) Act, 1952.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Forward Contracts (Regulation) Amendment Act, 1971.

(2) It shall be deemed to have come into force on the 11th day of October, 1971.

2. *Amendment of section 2.*—In section 2 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), (hereinafter referred to as the principal Act),—

(a) in clause (c), the words “at a future date” shall be omitted;

(b) to clause (i), the following proviso and Explanation shall be added, namely:—

‘Provided that where any such contract is performed either wholly or in part,—

(1) by tendering of the documents of title to the goods covered by the contract by any party thereto (not being a commission agent or a bank) who has acquired ownership of the said documents by purchase, exchange or otherwise, to any other person (including a commission agent but not including a bank); or

(2) by the realisation of any sum of money, being the difference between the contract rate and the settlement rate or clearing rate or the rate of any offsetting contract; or

(3) by any other means whatsoever,

and as a result of which the actual tendering of the goods covered by the contract or the payment of the full price

therefor is dispensed with, then, such contract shall not be deemed to be a ready delivery contract.

Explanation.—For the purposes of this clause—

(i) “bank” includes any banking company as defined in the Banking Regulation Act, 1949 (10 of 1949), a co-operative bank as defined in the Reserve Bank of India Act, 1934 (2 of 1934), the State Bank of India and any of its subsidiaries and any corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970);

(ii) “commission agent” means a person who, in the ordinary course of business, makes contract for the sale or purchase of goods for others for a remuneration (whether known as commission or otherwise) which is determined in the contract itself or determinable from the terms of the contract, in either case, only with reference to the quantity of goods or to the price therefor as stipulated in the contract.

3. *Repeal and saving.*—(1) The Forward Contracts (Regulation) Amendment Ordinance, 1971 (11 of 1971) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

Assented to on 11-12-1971.

THE COAL BEARING AREAS (ACQUISITION AND DEVELOPMENT) AMENDMENT AND VALIDATION ACT, 1971

(ACT No. 54 OF 1971)

AN

ACT

furthest to amend the Coal Bearing Areas (Acquisition and Development) Act, 1957, and to validate certain acquisitions of land or rights in or over land under the said Act.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Coal Bearing Areas (Acquisition and Development) Amendment and Validation Act, 1971.

2. *Amendment of section 8.*—In sub-section (2) of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the principal Act), for the words “submit the case for the decision of the Central Government together with the record of the proceedings held by him and a report containing his recommendations on the objections”, the words, brackets and figures “either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government” shall be substituted.

3. *Amendment of section 9.*—In section 9 of the principal Act,—

(a) in sub-section (1),—

(i) after the words “made by it to that effect”, the following shall be inserted, namely:—

“and different declarations may be made from time to time in respect of different

parcels of any land, or of rights in or over such land, covered by the same notification under sub-section (1) of section 7, irrespective of whether one report or different reports has or have been made (wherever required) under sub-section (2) of section 8”;

(ii) for the words “Provided that, where the declaration”, the following shall be substituted, namely:—

“Provided that no declaration in respect of any particular land, or rights in or over such land, covered by a notification under sub-section (1) of section 7, issued after the commencement of the Coal Bearing Areas (Acquisition and Development) Amendment and Validation Act, 1971, shall be made after the expiry of three years from the date of the said notification:

Provided further that where a declaration”;

(b) in sub-section (2), for the words “The declaration”, the words “Every declaration” shall be substituted.

4. *Amendment of section 13.*—In section 13 of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely:—

“(5A) In determining the amount of compensation for any land acquired under section 9, any increase to the value of the other land of the person interested, likely to accrue from the use to which the land acquired will be put shall not be taken into consideration.”

5. *Amendment of section 14.*—In section 14 of the principal Act, after sub-section (7), the following sub-section shall be inserted, namely:—

“(8) The Tribunal, in the proceedings before it, shall have all the powers which a civil court has while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:—

- (i) summoning and enforcing the attendance of any person and examining him on oath;
- (ii) requiring the discovery and production of any document;
- (iii) reception of evidence on affidavits;
- (iv) requisitioning any public record from any court or office; and
- (v) issuing commissions for examination of witnesses.”

6. *Amendment of section 17.*—In section 17 of the principal Act, in sub-section (2), for the second proviso, the following provisos shall be substituted, namely:—

“Provided further that every person who claims to be an interested person (whether such person has been admitted to be interested or not, including the person referred to in the preceding proviso shall be entitled to prefer a claim for compensation before the Tribunal:

Provided also that no person who has received the amount otherwise than under protest shall be entitled to prefer any such claim before the Tribunal.”

7. *Insertion of new section 18A.*—After section 18 of the principal Act, the following section shall be inserted, namely:—

“18A. *Payment to State Governments in lieu of royalty.*—Notwithstanding anything contained in this Act, where any land or any rights in or over land belonging to a State Government (other than the rights under a mining lease granted or deemed to have been granted by the State Government to any person) vest in the Central Government under section 10 or in a Government Company under section 11, the Central Government or the Company, as the case may be, may pay to the State Government such sum of money as would have been payable as royalty by a lessee had such land or rights been under a mining lease granted by the State Government.”

8. *Validation of certain acquisitions.*—(1) Notwithstanding any judgment, decree or order of any court to the contrary,—

(a) no acquisition of land or of rights in or over land made or purporting to have been made under the principal Act before the commencement of this Act, and no action taken or thing done (including any order made, agreement entered into or notification published) in connection with such acquisition shall be deemed to be invalid or ever to have become invalid merely on the ground—

(i) that one or more competent authorities have performed the functions of competent authority under the principal Act in respect of the land covered by the same notification under sub-section (1) of section 7 of the principal Act;

(ii) that one or more reports have been made under sub-section (2) of section 8 of the principal Act, whether in respect of the entire land covered by the same notification under sub-section (1) of section 7 of the principal Act or rights in or over such land, or in respect of different parcels of such land or of rights in or over such land;

(iii) that one or more declarations have been made under section 9 of the principal Act in respect of different parcels of the land covered by the same notification under sub-section (1) of section 7 of the principal Act or in respect of rights in or over such land.

(b) any acquisition in pursuance of any notification issued under sub-section (1) of section 7 of the principal Act before the commencement of this Act may be made after such commencement and no such acquisition and no action taken or thing done (including any order made, agreement entered into or notification published) whether before or after such commencement, in connection with such acquisition shall be deemed to be invalid merely on the grounds referred to in clause (a) or any of them.

(2) Notwithstanding anything contained in clause (b) of sub-section (1), no declaration under section 9 of the principal Act in respect of any land, or rights in or over such land, which has been notified before the commencement of this Act, under sub-section (1) of section 7 of the principal Act, shall be made after the expiry of two years from the commencement of this Act.

(3) Where acquisition of any particular land (not being acquisition of rights in or over such land) covered by a notification under sub-section (1) of section 7 of the principal Act, issued before the commencement of this

Act. is or has been made in pursuance of any declaration under section 2 of the principal Act, whether made before or after such commencement, and such declaration is or has been made after the expiry of three years from the date of issue of such notification, there shall be paid simple interest, calculated at the rate of six per centum per annum on the market value of such land, as determined under sub-section (5) of section 13 of the principal Act, from the date of expiry of the said period of three years to the date of tender of payment of compensation payable for the acquisition of such land:

Provided that no such interest shall be payable for any period during which the proceedings for the acquisition of any land were held upon account or stay or injunction by order of a court:

Provided further that nothing in this sub-section shall apply to the acquisition of any land where the amount of compensation has been paid to the persons interested before the commencement of this Act.

Assented to on 13th December, 1971.

THE ARMS (AMENDMENT) ACT, 1971

(ACT NO. 55 OF 1971)

AN
ACT

to amend the Arms Act, 1959.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Arms (Amendment) Act, 1971.

2. *Amendment of section 2.*—In section 2 of the Arms Act, 1959 (54 of 1959), in sub-section (1), for clause (d), the following clause shall be substituted, namely:—

(d) "district magistrate", in relation to any area for which a Commissioner of Police has been appointed, means the Commissioner of Police thereof and includes any such Deputy Commissioner of Police, exercising jurisdiction over the whole or any part of such area, as may be specified by the State Government in this behalf in relation to such area or part;

Assented to on 15.12.1971

THE COMPTROLLER AND AUDITOR-GENERAL'S (DUTIES, POWERS AND CONDITIONS OF SERVICE) ACT, 1971

(ACT NO. 56 OF 1971)

AN
ACT

to determine the conditions of service of the Comptroller and Auditor-General of India and to prescribe his duties and powers and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-second Year

of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title.*—This Act may be called the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "accounts", in relation to commercial undertakings of a Government, includes trading, manufacturing and profit and loss accounts and balance-sheets and other subsidiary accounts;

(b) "appropriation accounts" means accounts which relate the expenditure brought to account during a financial year, to the several items specified in the law made in accordance with the provisions of the Constitution or of the Government of Union Territories Act, 1963 (20 of 1963), for the appropriation of moneys out of the Consolidated Fund of India or of a State, or of a Union territory having a Legislative Assembly, as the case may be;

(c) "Comptroller and Auditor-General" means the Comptroller and Auditor-General of India appointed under article 148 of the Constitution;

(d) "State" means a State specified in the First Schedule to the Constitution;

(e) "Union" includes a Union territory, whether having a Legislative Assembly or not.

CHAPTER II

SALARY AND OTHER CONDITIONS OF SERVICE OF THE COMPTROLLER AND AUDITOR-GENERAL

3. *Salary.*—There shall be paid to the Comptroller and Auditor-General a salary which is equal to the salary of the Judge of the Supreme Court:

Provided that if a person who, immediately before the date of assuming office as the Comptroller and Auditor-General, was in receipt of, or, being eligible so to do, had elected to draw, a pension (other than a disability or wound pension) in respect of any previous service under the Government of the Union or any of its predecessor Governments, or under the Government of a State of any of its predecessor Governments, his salary in respect of service as Comptroller and Auditor-General shall be reduced—

(a) by the amount of that pension; and

(b) if he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension; and

(c) if he had, before assuming office, received, or become eligible for receiving, a retirement gratuity in respect of such previous service, by the pension equivalent of that gratuity.

4. *Term of office.*—The Comptroller and Auditor-General shall hold office for a term of six years from the date on which he assumes such office;

Provided that where he attains the age of sixty-five years before the expiry of the said term of six years, he shall vacate such office on the date on which he attains the said age:

Provided further that he may, at any time, by writing under his hand addressed to the President resign his office.

Explanation.—For the purpose of this section, the term of six years in respect of the Comptroller and Auditor-General holding office immediately before the commencement of this Act, shall be computed from the date on which he had assumed office.

5. **Leave.**—(1) A person who, immediately before the date of assuming office as the Comptroller and Auditor-General, was in the service of Government may be granted during his tenure of office but not thereafter, leave in accordance with the rules for the time being applicable to the Service to which he belonged before such date and he shall be entitled to carry forward the amount of leave standing at his credit on such date, notwithstanding anything contained in section 6.

(2) Any other person who is appointed as the Comptroller and Auditor-General may be granted leave in accordance with such rules as are for the time being applicable to a member of the Indian, Administrative Service.

(3) The power to grant or refuse leave to the Comptroller and Auditor-General and to revoke or curtail leave granted to him, shall vest in the President.

6. **Pension.**—(1) A person who, immediately before the date of assuming office as the Comptroller and Auditor-General, was in the service of Government shall be deemed to have retired from service on the date on which he enters upon office as the Comptroller and Auditor-General but his service as the Comptroller and Auditor-General shall be reckoned as continuing approved service counting for pension in the Service to which he belonged.

(2) Every person who enters upon office as the Comptroller and Auditor-General shall, on demitting the said office, be eligible to a pension of a sum of fifteen thousand rupees per annum which sum shall include the aggregate of all pensions payable to him and the commuted portion, if any, of his pension, and the pension equivalent of the retirement gratuity, if any, which may have been admissible to him under the rules for the time being applicable to the Service to which he belonged:

Provided that if such a person is or becomes eligible, at any time, under the rules for the time being governing the Service to which he belonged, to a pension higher than the said sum of fifteen thousand rupees, he shall be eligible to draw, as pension, the said higher amount.

(3) A person who, immediately before the date of assuming office as the Comptroller and Auditor-General, was in receipt of, or, had become eligible for receiving, a pension in respect of any previous service under Government, shall, on demitting office as the Comptroller and Auditor-General, be eligible to a pension of fifteen thousand rupees per annum which sum shall include the aggregate of all pensions payable to him and the commuted portion, if any, of his pension, and the pension equivalent of the retirement gratuity, if any, which may have been admissible to him under the rules

for the time being applicable to the Service to which he belonged:

Provided that if such a person is or becomes eligible, at any time, under the rules for the time being governing the Service to which he belonged, to a pension higher than the said sum of fifteen thousand rupees, he shall be eligible to draw, as pension, the said higher amount.

(4) Any other person who is appointed as the Comptroller and Auditor-General shall, on demitting the said office, be eligible to a pension of fifteen thousand rupees per annum.

(5) The person holding office immediately before the commencement of this Act as the Comptroller and Auditor-General shall be eligible to draw, at his option, pension at the rate at which it would be admissible to him if this Act had not come into force or at the rate specified in this section.

(6) A person who demits office as the Comptroller and Auditor-General by resignation shall, on such demission, be eligible to a pension at the rate of two thousand rupees per annum for each completed year of his service as the Comptroller and Auditor-General:

Provided that in the case of a person referred to in sub-section (1) or sub-section (3), the aggregate amount of pension admissible under this sub-section together with the amount of pension including the commuted portion, if any, of his pension, and the pension equivalent of the retirement gratuity, if any, which may have been admissible to him under the rules for the time being applicable to the Service to which he belonged immediately before he assumed office as the Comptroller and Auditor-General, shall not exceed fifteen thousand rupees per annum or the higher pension referred to in proviso to sub-section (2) or sub-section (3), as the case may be.

(7) If a person who demits office as the Comptroller and Auditor-General is not eligible to any pension under this section but is eligible to a pension under the rules for the time being applicable to the Service to which he belonged immediately before he assumed office as the Comptroller and Auditor-General, he shall, notwithstanding anything contained in this section, be eligible to draw such pension as is admissible to him under the said rules.

(8) Except where he demits office by resignation, a person holding office of the Comptroller and Auditor-General shall be deemed, for the purposes of this Act, to have demitted such office as such if, and only if,—

- (a) he has completed the term of office specified in section 4, or
- (b) he has attained the age of sixty-five years, or
- (c) his demission of office is medically certified to be necessitated by ill health.

7. **Commutation of pension.**—The Civil Pensions (Commutation) Rules for the time being in force shall, with such adaptations as may be made therein by the President, apply to a person who had held office as the Comptroller and Auditor-General.

8. **Right to subscribe to General Provident Fund.**—Every person holding office as the Comptroller and Auditor-General shall be entitled to subscribe to the General Provident and (Central Services).

9. *Other conditions of service.*—Save as otherwise expressly provided in this Act, the other conditions of service of a person holding office as the Comptroller and Auditor-General including his emoluments during any period of duty out of India and his travelling allowance while travelling on duty, shall be determined by the rules for the time being applicable to a member of the Indian Administrative Service holding the rank of Secretary to the Government of India:

Provided that nothing in this section shall have effect so as to give a person, who immediately before the date of assuming office as the Comptroller and Auditor-General, was in the service of Government, less favourable terms in respect of any of the matters aforesaid than those to which he would be entitled as a member of the Service to which he belonged, his service as Comptroller and Auditor-General being treated for the purpose of this proviso as continuing service in the Service to which he belonged

CHAPTER III

DUTIES AND POWERS OF THE COMPTROLLER AND AUDITOR-GENERAL

10. *Comptroller and Auditor-General to compile accounts of Union and States.*—(1) The Comptroller and Auditor-General shall be responsible—

- (a) for compiling the accounts of the Union and of each State from the initial and subsidiary accounts rendered to the audit and accounts offices under his control by treasuries, offices or departments responsible for the keeping of such accounts; and
- (b) for keeping such accounts in relation to any of the matters specified in clause (a) as may be necessary:

Provided that the President as respects the accounts of the Union, and the Governor of a State as respects the accounts of that State, may, after consultation with the Comptroller and Auditor-General, by order, relieve him from the responsibility for compiling the accounts of any particular service or department of the Union or of a State, as the case may be:

Provided further that the President may, after consultation with the Comptroller and Auditor-General, by order, relieve him from the responsibility for keeping the accounts of any particular class or character.

(2) Where under any arrangement, a person other than the Comptroller and Auditor-General has, before the commencement of this Act, been responsible—

- (i) for compiling the accounts of any particular service or department of the Union or of a State, or
- (ii) for keeping the accounts of any particular class or character,

such arrangement shall, notwithstanding anything contained in sub-section (1), continue to be in force unless, after consultation with the Comptroller and Auditor-General, it is revoked in the case referred to in clause (i), by an order of the President or the Governor of the State, as the case may be, and in the case referred to in clause (ii), by an order of the President.

11. *Comptroller and Auditor-General to prepare and submit accounts to the President, Governors of States and Administrators of Union territories having Legislative Assembly.*—The Comptroller and

Auditor-General shall, from the accounts compiled by him or by any other person responsible in that behalf, prepare in each year accounts (including, in the case of accounts compiled by him, appropriation accounts) showing under the respective heads the annual receipts and disbursements for the purpose of the Union, of each State and of each Union territory having a Legislative Assembly, and shall submit those accounts to the President or the Governor of a State or Administrator of the Union territory having a Legislative Assembly, as the case may be, on or before such dates as he may, with the concurrence of the Government concerned, determine.

12. *Comptroller and Auditor-General to give information and render assistance to the Union and States.*—The Comptroller and Auditor-General shall, in so far as the accounts, for the compilation or keeping of which he is responsible, enable him so to do, give to the Union Government, to the State Governments or to the Governments of Union territories having Legislative Assemblies, as the case may be, such information as they may, from time to time, require, and render such assistance in the preparation of their annual financial statements as they may reasonably ask for.

13. *General provisions relating to audit.*—It shall be the duty of the Comptroller and Auditor-General—

- (a) to audit all expenditure from the Consolidated Fund of India and of each State and of each Union territory having a Legislative Assembly and to ascertain whether the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged and whether the expenditure conforms to the authority which governs it;

- (b) to audit all transactions of the Union and of the States relating to Contingency Funds and Public Accounts;

- (c) to audit all trading, manufacturing, profit and loss accounts and balance-sheets and other subsidiary accounts kept in any department of the Union or of a State;

and in each case to report on the expenditure, transactions or accounts so audited by him.

14. *Audit of receipts and expenditure of bodies or authorities substantially financed from Union or State Revenues.*—Where any body or authority is substantially financed by grants or loans from the Consolidated Fund of India or of any State or of any Union territory having a Legislative Assembly, the Comptroller and Auditor-General shall, subject to the provisions of any law for the time being in force applicable to the body or authority, as the case may be, audit all receipts and expenditure of that body or authority and to report on the receipts and expenditure audited by him.

Explanation.—Where the grant or loan to a body or authority from the Consolidated Fund of India or of any State or of any Union territory having a Legislative Assembly in a financial year is not less than rupees five lakhs and the amount of such grant or loan is not less than seventy-five per cent of the total expenditure of that body or authority, such body or authority shall be deemed, for the purposes of this section, to be substantially financed by such grants or loans, as the case may be.

15. Functions of Comptroller and Auditor-General in the case of grants or loans given to other authorities or bodies.—(1) Where any grant or loan is given for any specific purpose from the Consolidated Fund of India or of any State or of any Union territory having a Legislative Assembly, to any authority or body, not being a foreign State or international organisation, the Comptroller and Auditor-General shall scrutinise the procedures by which the sanctioning authority satisfies itself as to the fulfilment of the conditions subject to which such grants or loans were given and shall for this purpose have right of access, after giving reasonable previous notice, to the books and accounts of that authority or body:

Provided that the President, the Governor of a State or the Administrator of a Union territory having a Legislative Assembly, as the case may be, may, where he is of opinion that it is necessary so to do in the public interest, by order, relieve the Comptroller and Auditor-General, after consultation with him, from making any such scrutiny in respect of any body or authority receiving such grant or loan.

(2) Except where he is authorised so to do by the President, the Governor of a State or the Administrator of a Union territory having a Legislative Assembly, as the case may be, the Comptroller and Auditor-General shall not have, while exercising the powers conferred on him by sub-section (1), right of access to the books and accounts of any corporation to which any such grant or loan as is referred to in sub-section (1) is given if the law by or under which such corporation has been established provides for the audit of the accounts of such corporation by an agency other than the Comptroller and Auditor-General:

Provided that no such authorisation shall be made except after consultation with the Comptroller and Auditor-General and except after giving the concerned corporation a reasonable opportunity of making representations with regard to the proposal to give to the Comptroller and Auditor-General right of access to its books and accounts.

16. Audit of receipts of Union or of States.—It shall be the duty of the Comptroller and Auditor-General to audit all receipts which are payable into the Consolidated Fund of India and of each State and of each Union territory having a Legislative Assembly and to satisfy himself that the rules and procedures in that behalf are designed to secure an effective check on the assessment, collection and proper allocation of revenue and are being duly observed and to make for this purpose such examination of the accounts as he thinks fit and report thereon.

17. Audit of accounts of stores and stock.—The Comptroller and Auditor-General shall have authority to audit and report on the accounts of stores and stock kept in any office or department of the Union or of a State.

18. Powers of Comptroller and Auditor-General in connection with audit of accounts.—(1) The Comptroller and Auditor-General shall in connection with the performance of his duties under this Act, have authority—

(a) to inspect any office of accounts under the control of the Union or of a State, including treasuries and such offices responsible for the keeping of

initial or subsidiary accounts, as submit accounts to him;

(b) to require that any accounts, books, papers and other documents which deal with or form the basis of or are otherwise relevant to the transactions to which his duties in respect of audit extend, shall be sent to such place as he may appoint for his inspection;

(c) to put such questions or make such observations as he may consider necessary, to the person in charge of the office and to call for such information as he may require for the preparation of any account or report which it is his duty to prepare.

(2) The person in charge of any office or department, the accounts of which have to be inspected and audited by the Comptroller and Auditor-General, shall afford all facilities for such inspection and comply with requests for information in as complete a form as possible and with all reasonable expedition.

19. Audit of Government companies and corporations.—(1) The duties and powers of the Comptroller and Auditor-General in relation to the audit of the accounts of Government companies shall be performed and exercised by him in accordance with the provisions of the Companies Act, 1956, (1 of 1956).

(2) The duties and powers of the Comptroller and Auditor-General in relation to the audit of the accounts of corporations (not being companies) established by or under law made by Parliament shall be performed and exercised by him in accordance with the provisions of the respective legislations.

(3) The Governor of a State or the Administrator of a Union territory having a Legislative Assembly may, where he is of opinion that it is necessary in the public interest so to do, request the Comptroller and Auditor-General to audit the accounts of a corporation established by law made by the Legislature of the State or of the Union territory, as the case may be, and where such request has been made, the Comptroller and Auditor-General shall audit the accounts of such corporation and shall have, for the purposes of such audit, right of access to the books and accounts of such corporation:

Provided that no such request shall be made except after consultation with the Comptroller and Auditor-General and except after giving reasonable opportunity to the corporation to make representations with regard to the proposal for such audit.

20. Audit of accounts of certain authorities or bodies.—(1) Save as otherwise provided in section 19, where the audit of the accounts of any body or authority has not been entrusted to the Comptroller and Auditor-General by or under any law made by Parliament, he shall, if requested so to do by the President or the Governor of a State or the Administrator of a Union territory having a Legislative Assembly, as the case may be, undertake the audit of the accounts of such body or authority on such terms and conditions as may be agreed upon between him and the concerned Government and shall have, for the purposes of such audit, right of access to the books and accounts of that body or authority:

Provided that no such request shall be made except after consultation with the Comptroller and Auditor-General.

(2) The Comptroller and Auditor-General may propose to the President or the Governor of a State or the Administrator of a Union territory having a Legislative Assembly, as the case may be, that he may be authorised to undertake the audit of the accounts of any body or authority, the audit of the accounts of which has not been entrusted to him by law, if he is of opinion that such audit is necessary because a substantial amount has been invested in, or advanced to, such body or authority by the Central or State Government or by the Government of a Union territory having a Legislative Assembly, and on such request being made, the President or the Governor or the Administrator, as the case may be, may empower the Comptroller and Auditor-General to undertake the audit of the accounts of such body or authority.

(3) The audit referred to in sub-section (1) or sub-section (2) shall not be entrusted to the Comptroller and Auditor-General except where the President or the Governor of a State or the Administrator of a Union territory having a Legislative Assembly, as the case may be, is satisfied that it is expedient so to do in the public interest and except after giving a reasonable opportunity to the concerned body or authority to make representations with regard to the proposal for such audit.

CHAPTER IV MISCELLANEOUS

21. Delegation of power of Comptroller and Auditor-General.—Any power exercisable by the Comptroller and Auditor-General under the provisions of this Act, or any other law may be exercised by such officer of his department as may be authorised by him in this behalf by general or special order:

Provided that except during the absence of the Comptroller and Auditor-General on leave or otherwise, no officer shall be authorised to submit on behalf of the Comptroller and Auditor-General any report which the Comptroller and Auditor-General is required by the Constitution or the Government of Union territories Act, 1963 (20 of 1963), to submit to the President or the Governor of a State or the Administrator of a Union territory having a Legislative Assembly, as the case may be.

22. Power to make rules.—(1) The Central Government may, after consultation with the Comptroller and Auditor-General, by notification in the Official Gazette, make rules for carrying out the provisions of this Act in so far as they relate to the maintenance of accounts.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner in which initial and subsidiary accounts shall be kept by the treasuries, offices and departments rendering accounts to audit and accounts offices;
- (b) the manner in which the accounts of any particular service or department or of any particular class or character, in respect of which the Comptroller and Auditor-General has been relieved from the responsibility of compiling or keeping the accounts, shall be compiled or kept;
- (c) the manner in which the accounts of stores and stock shall be kept in any office or department of the Union or of a State, as the case may be;
- (d) any other matter which is required to be, or may be, prescribed by rules.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

23. Power to make regulations.—The Comptroller and Auditor-General is hereby authorised to make regulations for carrying into effect the provisions of this Act in so far as they relate to the scope and extent of audit, including laying down for the guidance of the Government Departments the general principles of Government accounting and the broad principles in regard to audit of receipts and expenditure.

24. Power to dispense with detailed audit.—The Comptroller and Auditor-General is hereby authorised to dispense with, when circumstances so warrant, any part of detailed audit of any accounts or class of transactions and to apply such limited check in relation to such accounts or transactions as he may determine.

25. Repeal.—The Comptroller and Auditor-General (Conditions of Service) Act, 1953 (21 of 1953), is hereby repealed.

26. Removal of doubts.—For the removal of doubts, it is hereby declared that on the commencement of this Act the Government of India (Audit and Accounts) Order, 1936, as adapted by the India (Provisional Constitution) Order, 1947, shall cease to be in force except as respects anything done or any action taken thereunder.

Assented to on 15-12-1971.

THE VISVA-BHARATI (AMENDMENT) ACT, 1971 (ACT NO. 57 OF 1971)

AN

ACT

further to amend the Visva-Bharati Act, 1951.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Visva-Bharati (Amendment) Act, 1971.

(2) It shall be deemed to have come into force on the 3rd day of November, 1971.

2. Act 29 of 1951 to be amended.—The Visva-Bharati Act, 1951 (hereinafter referred to as the principal Act), and the Statutes thereunder shall have effect subject to the amendments specified in this Act.

3. Substitution of new section for section 19.—For section 19 of the principal Act, the following section shall be substituted, namely:—

“19. *The Samsad (Court).*—(1) The Samsad (Court) shall consist of the following members, namely:—

- (a) the Acharya (Chancellor), *ex-officio*;

- (b) the *Upacharya* (Vice-Chancellor) and the other members of the *Karma-Samiti* (Executive Council), *ex officio*;
 - (c) the *Artha Sachiva* (Treasurer), *ex-officio*;
 - (d) two persons, being Professors of the University, to be nominated by the *Paridarsaka* (Visitor);
 - (e) two persons from among the teachers, other than the Professors, to be nominated by the *Paridarsaka* (Visitor);
 - (f) three representatives of Parliament, of which two to be nominated by the Speaker of the Lok Sabha from among the members thereof and one to be nominated by the Chairman of the Rajya Sabha from among the members thereof;
 - (g) ten persons to be nominated by the *Paridarsaka* (Visitor) from among persons who, in the opinion of the *Paridarsaka* (Visitor), are men of standing in public life or have special knowledge or practical experience in education or have rendered eminent services in the cause of education;
 - (h) two members of the Alumni Association to be nominated by the *Paridarsaka* (Visitor).
- (2) Ten members, other than the *ex-officio* members of the *Samsad* (Court), shall form the quorum for its meeting.
- (3) Each member of the *Samsad* (Court), other than the *ex-officio* members, shall hold office for a term of three years from the date on which he is nominated as its member."
4. *Substitution of new section for section 21.*—For section 21 of the principal Act, the following section shall be substituted, namely:—
- "21. *Functions of the Samsad (Court).*—The *Samsad* (Court) shall be an advisory body and shall—
- (a) advise the *Paridarsaka* (Visitor) in respect of such matter as he may refer to it for advice;
 - (b) advise any authority of the University in respect of such matter as may be referred to it by such authority; and
 - (c) perform such other duties and exercise such other powers as may be assigned to it by or under this Act or the Statutes made thereunder or by the *Paridarsaka* (Visitor)."

5. *Amendment of section 22.*—In section 22 of the principal Act, for the words "The *Karma-Samiti*", the words "Subject to the control of the *Paridarsaka* (Visitor), the *Karma-Samiti*" shall be substituted.

6. *Amendment of section 23.*—In section 23 of the principal Act,—

 - (i) for the words "The *Karma-Samiti*", the words "Subject to the control of the *Paridarsaka* (Visitor), the *Karma-Samiti*" shall be substituted; and
 - (ii) after clause (i), the following clause shall be inserted, namely:—

"(ia) shall regulate and enforce discipline among members of the teaching, administrative and ministerial staff of the University in accordance with the Statutes and the Ordinances;"

7. *Amendment of section 28.*—In section 28 of the principal Act, for sub-sections (2) to (8), the following sub-sections shall be substituted, namely:—

 - "(2) The Statutes may be amended, repealed or added to by Statutes made by the *Karma-Samiti* (Executive Council).
 - (3) The *Karma-Samiti* (Executive Council) shall not propose the draft of any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing the opinion upon the proposal and any opinion so expressed shall be in writing and shall be submitted to the *Paridarsaka* (Visitor).
 - (4) Every new Statute or addition to a Statute or any amendment or repeal of a Statute shall be submitted to the *Paridarsaka* (Visitor) who may assent to it or withhold his assent therefrom or remit it to the *Karma-Samiti* (Executive Council) for further consideration.
 - (5) A Statute passed by the *Karma-Samiti* (Executive Council) shall have no validity unit it has been assented to by the *Paridarsaka* (Visitor)."

8. *Amendment of section 30.*—In section 30 of the principal Act,—

 - (i) in sub-section (3), the words "and the *Samsad* (Court), and shall be considered by the *Samsad* (Court), at its next succeeding meeting" shall be omitted;
 - (ii) for sub-sections (4) to (7), the following sub-sections shall be substituted, namely:—

"(4) Where the *Karma-Samiti* (Executive Council) has rejected the draft of an Ordinance proposed by the *Siksha-Samiti* (Academic Council), the *Siksha-Samiti* (Academic Council) may appeal to the *Paridarsaka* (Visitor) who may pass such orders thereon as he thinks fit.

 - (5) All Ordinances made by the *Karma-Samiti* (Executive Council) shall be submitted, as soon as may be, to the *Paridarsaka* (Visitor) who may disallow any such Ordinance or remit it to the *Karma-Samiti* (Executive Council) for further consideration.
 - (6) The *Paridarsaka* (Visitor) may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance, and any order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order."

9. *Substitution of new section for section 35.*—For section 35 of the principal Act, the following section shall be substituted, namely:—

"35. *Annual reports.*—The annual report of the University shall be prepared under the direction of the *Karma-Samiti* (Executive Council) and shall be submitted to the *Paridarsaka* (Visitor) on or before such date as may be prescribed by the Statute."

10. *Amendment of section 36.*—In section 36 of the principal Act,—

 - (i) in sub-section (3), the words "the *Samsad* (Court) and to" shall be omitted; and
 - (ii) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The annual accounts and the financial estimates shall be considered by the *Paridarsaka* (Visitor) who may communicate his views to the *Karma Samiti* (Executive Council) which shall take them into consideration and take such action thereon as it thinks fit or inform the *Paridarsaka* (Visitor) when no action is taken, of its reasons therefor.”

11. *Substitution of new section for section 41.*—For section 41 of the principal Act, the following section shall be substituted, namely:—

“41. *Removal from membership of the University.*—The *Karma-Samiti* (Executive Council) may, on the recommendation of not less than two-thirds of its members remove any person from the membership of any authority or board of the University if such a person is guilty of a serious offence involving moral turpitude, or if he has been guilty of scandalous conduct and for the same reasons may withdraw any degree or diploma conferred on, or granted to, any person by the University:

Provided that no action shall be taken under this section against any person except after giving him a reasonable opportunity of being heard with regard to the proposed action.”

12. *Amendment of Statutes.*—Notwithstanding anything contained in the principal Act, the Statutes of the University shall stand amended as follows:—

(i) in Statute 3, after clause (2), the following clause shall be inserted, namely:—

“(2A) When the *Upacharya* (Vice-Chancellor) by reason of leave or absence or any other cause is unable to perform the duties of his office, the current duties of the *Upacharya* (Vice-Chancellor) shall be performed,—

(a) in the case of leave or absence for more than thirty days, by such Professor as the *Karma-Samiti* (Executive Council) may appoint for the purpose on the recommendation of the *Upacharya* (Vice-Chancellor);

(b) in the case of leave or absence for a period not exceeding thirty days, by such teacher or an officer as the *Upacharya* (Vice-Chancellor) may appoint for the purpose.”;

(ii) in Statute 7, after item (2), the following item shall be inserted, namely:—

“(3) Dean of Student Welfare.”;

(iii) after statute 9, the following Statute shall be inserted, namely:—

“9A. Dean of Student Welfare

- (1) The Dean of Student Welfare shall be appointed, from amongst the employees of the University who are or who have been teachers of the University, by the *Karma-Samiti* (Executive Council) on the recommendation of the *Upacharya* (Vice-Chancellor).
- (2) The Dean of Student Welfare shall exercise such powers and perform such duties either whole-time, or, depending upon the need of the University, part-time, accordingly as the *Karma-Samiti*

(Executive Council) may, on the recommendation of the *Upacharya* (Vice-Chancellor), direct.

(3) The period and terms of the appointment of the Dean of Student Welfare shall be determined by the *Karma-Samiti* (Executive Council);

(iv) Statutes 10 and 11 shall be omitted;

(v) for Statute 13, the following Statute shall be substituted, namely:—

“13. The *Karma-Samiti* (Executive Council)

(1) The *Karma-Samiti* (Executive Council) shall consist of the following members, namely:—

(a) the *Upacharya* (Vice-Chancellor), *ex-officio*;

(b) seven persons of whom not more than four shall be Professors of the University, to be nominated by the *Paridarsaka* (Visitor); and

(c) one person to be nominated by the *Pradhan* (Rector) of the University.

(2) Five members of the *Karma-Samiti* (Executive Council) shall form the quorum for its meeting.

(3) Each member of the *Karma-Samiti* (Executive Council), other than the *Upacharya* (Vice-Chancellor), shall hold office for a term of three years from the date on which he is nominated as its member.”;

(vi) for Statute 14, the following Statute shall be substituted, namely:—

“14. The *Siksha-Samiti* (Academic Council)

(1) The *Siksha-Samiti* (Academic Council) shall consist of the following members, namely:—

(a) the *Upacharya* (Vice-Chancellor), *ex-officio*;

(b) *Chatra-Rarichalaka* (Proctor), *ex-officio*;

(c) *Granthagarika* (Librarian), *ex-officio*;

(d) Head of the *Palli-Sangathan Vihaga*, *ex-officio*;

(e) fifteen teachers of the University to be nominated by the *Paridarsaka* (Visitor); and

(f) two persons, not being employees of the University, to be nominated by the *Paridarsaka* (Visitor) for their specialised knowledge.

(2) Eight members of the *Siksha-Samiti* (Academic Council) shall form the quorum for its meeting.

(3) Each member of the *Siksha-Samiti* (Academic Council), other than the *ex-officio* members shall hold office for a term of three years from the date on which he is nominated as its member.”;

(vii) for Statute 16, the following Statute shall be substituted, namely:—

“16. The *Artha-Samiti* (Standing Finance Committee)

(1) The *Artha-Samiti* (Standing Finance Committee) shall consist of the following members, namely:—

(a) the *Upacharya* (Vice-Chancellor), *ex-officio*;

(b) two persons to be nominated by the *Paridarsaka* (Visitor);

(c) one Professor of the University to be nominated by the *Karma-Samiti* (Executive Council); and

(d) the *Artha-Sachiva* (Treasurer), who shall be the Secretary thereof.

(2) Four members of the *Artha-Samiti* (Standing Finance Committee) shall form the quorum for its meeting.

- (3) Each member of the *Artha-Samiti* Standing Finance Committee), other than the *Upacharya* (Vice-Chancellor), shall hold office for a period of three years from the date on which he is nominated as its member.”;

(viii) for Statute 19, the following Statute shall be substituted, namely:—

“19. Patha-Samitis (Boards of Studies)

- (1) There shall be separate *Patha-Samitis* (Boards of Studies) for each of the following, namely:—

- (i) school studies;
- (ii) each subject of the—
 - (a) under-graduate studies, and
 - (b) post-graduate studies.

- (2) The constitution of such *Patha-Samitis* (Boards of Studies) shall be such as may be prescribed by Ordinances.

- (3) It shall be the duty of each *Patha-Samiti* (Board of Studies) to make recommendations to the *Siksha-Samiti* (Academic Council) regarding—

- (i) courses and syllabi of studies and text-books for its subject or subjects with which it is concerned;
 - (ii) fellowships, scholarships, medals and prizes in the subject or subjects with which it is concerned;
 - (iii) combination of subjects permitted in the various courses; and
 - (iv) the names of examiners.”;
- (ix) after Statute 19, the following Statute shall be inserted, namely:—

“19A. Adhyakshas (Principals) of Colleges

- (1) There shall be an *Adhyaksha* (Principal) for each College.

- (2) Each Professor within the College shall, by rotation according to seniority, act as the *Adhyaksha* (Principal) of the College for a period of two years:

Provided that if there is no Professor in the College, a senior teacher shall be asked by the *Upacharya* (Vice-Chancellor) to act as the *Adhyaksha* (Principal) till such time as a Professor is appointed:

Provided further that the *Upacharya* (Vice-Chancellor) may on the written request of the Professor or senior teacher, as the case may be, exempt such Professor or teacher from having to work as the *Adhyaksha* (Principal) or accept the resignation of an *Adhyaksha* (Principal) during the tenure of his office as such, if the *Upacharya* (Vice-Chancellor) is satisfied with the reasons given by him for such resignation.

Explanation.—For the purpose of this Statute, a Professor shall be senior to a Reader and a Reader shall be senior to a Lecturer.

- (3) For the purpose of this Statute, there shall be maintained separate common seniority lists, respectively, in relation to the Professors, Readers and Lecturers working in the various colleges of the University.

- (4) If a question arises as to the seniority of any Professor, Reader or Lecturer, as the case may be, the same shall be determined by the *Karma-Samiti* (Executive Council).”;

- (x) in Statute 21, in clause (2), sub-clause (d) shall be omitted;

- (xi) in Statute 22, in clause (2), the words “approval of two-thirds of the members present at any meeting of the *Samsad* (Court) and the” shall be omitted;

- (xii) after Statute 46, the following Statute shall be inserted, namely:—

“47. Maintenance of discipline amongst students of the University

- (1) All powers relating to discipline and disciplinary action in relation to students of the University shall vest in the *Upacharya* (Vice-Chancellor).

- (2) The *Upacharya* (Vice-Chancellor) may delegate such of his powers as he deems proper to the *Chatra-Parichalaka* (Proctor) and to such other persons as he may specify in this behalf and the powers so delegated shall be exercised under the direction, supervision and control of the *Upacharya* (Vice Chancellor).

- (3) Without prejudice to the generality of his powers relating to the maintenance of discipline and the taking of such action in the interests of maintenance of discipline as may seem to him appropriate the *Upacharya* (Vice-Chancellor) may, in the exercise of his powers aforesaid order or direct that any student or students be expelled, or be, for a stated period, rusticated, or be not, for a stated period, admitted to a course or courses of study or be fined in a sum of rupees that may be specified or be debarred from taking examination or examinations for one or more years or that the results of student or students concerned in the examination or examinations in which he or they have appeared, be cancelled.

- (4) Without prejudice to the powers of the *Upacharya* (Vice-Chancellor) and the *Chatra Parichalaka* (Proctor) as aforesaid, detailed rules of discipline and proper conduct shall be framed by the University.”.

13. Transitional provisions.—(1) Every person holding office as a member of the *Samsad* (Court), *Karma-Samiti* (Executive Council), *Siksha Samiti* (Academic Council), *Artha Samiti* (Standing Finance Committee) or a *Patha-Samiti* (Board of Studies), as the case may be, immediately before the commencement of this Act shall, on and from such commencement, cease to hold office as such:

Provided that where any such person held, immediately before such date, any other office in the University, nothing contained in this sub-section shall be construed as affecting his continuance in such other office.

- (2) Until the *Samsad* (Court), *Karma-Samiti* (Executive Council), *Siksha-Samiti* (Academic Council) *Artha-Samiti* (Standing Finance Committee) or a *Patha Samiti* (Board of Studies) as the case may be, is constituted in accordance with the provisions of the principal Act as amended by this Act or the Statutes as modified by this Act, the *Paridarsaka* (Visitor) may, by general or special order, direct any officer of the University to exercise the powers and perform the duties conferred or imposed by or under the principal Act as so amended or the Statutes as so modified on the *Samsad* (Court), *Karma-*

Samiti (Executive Council), *Siksha-Samiti* (Academic Council), *Artha-Samiti* (Standing Finance Committee) or the *patha-Samiti* (Board of Studies), as the case may be.

14. *Repeal and savings.*—(1) The Visva-Bharati (Amendment) Ordinance, 1971 (Ord. 22 of 1971), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

Assented to on 16-12-1971

THE NAVAL AND AIRCRAFT PRIZE ACT, 1971 (ACT No. 59 OF 1971)

AN

ACT

to provide for the establishment and procedure of Prize Courts and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-Second Year of the Republic of India as follows:—

1. *Short title.* This Act may be called the Naval and Aircraft Prize Act, 1971.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “aircraft” has the meaning assigned to it in clause (ii) of section 4 of the Air Force Act, 1950 (45 of 1950);

(b) “aircraft papers” includes all books, passes, charter parties, bills of lading, customs receipts, manifests, certificates, licences, lists, tickets, notes, letters and other documents and writings delivered up or found on board a captured aircraft;

(c) “Armed Forces” means the Army, Navy and Air Force or any part of any one or more of them and includes any other armed force in the service of, or employed with, the Army, Navy or Air Force during hostilities;

(d) “goods” includes all such things as may be subject to adjudication as prize, but in the case of a naval prize does not include any aircraft or boat unless the aircraft or boat is a part of the cargo of a ship;

(e) “Prize Court” means a prize court established under section 3;

(f) “Indian citizen” includes a company registered in India and having its principal place of business in India;

(g) “military aircraft” means any aircraft belonging to the Armed Forces and includes any armed aircraft in the service of the Armed Forces and any other aircraft used as a transport or auxiliary or in any other way for the purpose of prosecuting or aiding hostilities;

(h) “prize” means anything which, subject to this Act and the rules made thereunder, may be subjected to adjudication and includes a ship or an aircraft and goods carried therein, irrespective of whether the ship is captured at sea or seized in port or whether the aircraft is on or over land or sea at the time of capture or seizure;

(i) “ship” includes a vessel and a boat with the tackle, furniture and apparel of the ship, vessel or boat;

(j) “ship-of-war” means any ship belonging to the Armed Forces and includes any armed ship in the service of the Armed Forces and any other ship used as transport or auxiliary or in any other way for the purpose of prosecuting or aiding hostilities;

(k) “ship papers” includes all books, passes, sea briefs, charter parties, bills of lading, customs receipts, manifests, certificates, licences, lists, tickets, notes, letters and other documents and writings delivered up or found on board a ship captured at sea or seized in port.

3. *Establishment of Prize Courts.*—(1) The Central Government may, by notification in the Official Gazette, constitute from time to time as many Prize Courts as the Central Government may determine to exercise the powers and discharge the functions conferred on a Prize Court by this Act and every such Prize Courts shall exercise jurisdiction within the local limits of such area or areas as may be specified by the Central Government in the said notification.

(2) Every Prize Court shall consist of such one or more than one member as the Central Government may from time to time deem it necessary to appoint.

(3) A person shall not be qualified for appointment as a member of a Prize Court unless he is a citizen of India and has been or is qualified to be appointed as a judge of a High Court.

(4) Subject to the provisions of section 18, the conditions of service of a member of a Prize Court shall be such as the Central Government may be order determine.

4. *Jurisdiction of Prize Courts in prize cases.*—(1) Notwithstanding anything contained in any other law for the time being in force, every Prize Court shall have exclusive jurisdiction in respect of each prize and each proceeding for the condemnation of property as prize, whether such prize is taken before or after the commencement of this Act, if the prize is—

(a) brought into, or seized within the territory of India;

(b) brought into or seized within a locality in the temporary or permanent possession of, or occupied by, the Armed Forces of the Union; or

(c) appropriated for the use of the Central Government, and is brought within the territorial jurisdiction of that Prize Court;

Provided that in the case of Naval prize, the Prize Court shall have jurisdiction only if the prize captured or seized is brought to a port or place lying within the territorial jurisdiction of that Prize Court.

(2) Every Prize Court shall also have exclusive jurisdiction in respect of a prize in which the prize property—

(a) is lost or entirely destroyed; or

(b) cannot be brought in for adjudication because of its nature and condition.

(3) Without prejudice to the generality of the powers conferred by sub-section (1), a Prize Court shall take cognizance of and judicially proceed upon all manners of captures, seizures, prizes and reprisals of all ships, vessels, aircrafts and goods that are captured or seized, and shall here and determine the same, and in accordance with this Act and rules made thereunder, shall adjudge and condemn all such ships, vessels, aircrafts and goods belonging to any country or State or the

nationals, citizens or subjects thereof, as may be captured or seized as prize during a war or as a measure of reprisal during an armed conflict or in the exercise of the right of self-defence.

(4) Notwithstanding anything contained in this section, the Prize Court may in respect of any matter for which no provision or insufficient provision is made, by or under this Act, apply the principles of the International Law regulating that matter.

5. *Transfer of cases.*—(1) Where proceedings are pending in any Prize Court against any ship, aircraft or goods, the Prize Court may, at any stage of the proceedings, on application being made by the proper officer of the Central Government and upon being satisfied that the proceedings so far as they relate to the ship, aircraft or goods, or any part thereof, would be more conveniently conducted in another Prize Court, make an order remitting the proceedings or the proceedings so far as they relate to the ship, aircraft or goods, or any part of the goods, as the case may be, to such other Prize Court.

(2) Where any proceedings have been remitted to another Prize Court, that other Prize Court shall have the same jurisdiction to deal with the matter as if the subject matter of those proceedings had originally been seized within its jurisdiction or brought within its jurisdiction after capture or seizure, as the case may be, and any order made or action taken in those proceedings before the order of remission shall be deemed to have been made or taken by or in that Court.

6. *Appeals.*—(1) Any person aggrieved by an order or decree of the Prize Court may prefer an appeal to the Central Government within a period of ninety days from the date on which such order or decree has been made.

(2) The provisions of sections 5 and 12 of the Limitation Act, 1963 (36 of 1963), shall so far as may be, apply for computation of the period specified in sub-section (1).

7. *General powers of Prize Courts.*—(1) A Prize Court shall, for the purposes of this Act, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of persons and examining them on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence of affidavits;
- (d) requisitioning any public record or copies thereof from any court or office;
- (e) issuing commissions for the examination of witnesses or documents;
- (f) any other matter which may be prescribed by rules.

(2) Without prejudice to the provisions of sub-section (1), every Prize Court shall have the power to enforce—

- (a) any order or decree of another Prize Court passed in a prize proceeding under this Act;

(b) any order of the Central Government passed in a prize appeal under section 6.

8. *Procedure on capture of prize.*—(1) Every ship and every aircraft taken as prize and brought into port or to a place within the jurisdiction of a Prize Court shall forthwith and without bulk broken, be delivered to the Marshal of the Court.

(2) If there is no such Marshal then the ship or aircraft shall be in like manner delivered to such person as the Central Government may appoint in this behalf.

(3) The ship or aircraft shall, subject to the orders of the Court, remain in the custody of the Marshal, or the person appointed under sub-section (2).

9. *Ship and aircraft papers to be brought in Registry.*—(1) The captors shall with all convenient speed after the ship or aircraft is brought into port or to a place within the jurisdiction of a Prize Court bring the ship papers or the aircraft papers, as the case may be, into the Registry of the Prize Court.

(2) The commanding officer or the captain of the capturing ship or aircraft or the commanding officer of the capturing force, or any other officer or person seizing the ship or aircraft at any port or aerodrome or any officer designated by the commanding officer or his superior authority as a Prize Officer or such other officer or person who was present at the capture and saw the ship papers or aircraft papers delivered up or found on board shall make oath that they are brought in as they were taken without fraud, addition, or subduction or alteration or else shall account on oath to the satisfaction of the Prize Court for the absence or altered condition of the ship papers or aircraft papers or any of them.

(3) Where no ship papers or aircraft papers are delivered up or found on board the captured ship or captured aircraft, the commanding officer or the captain of the capturing ship or aircraft or the commanding officer of the capturing force or any other officer or person seizing the ship or aircraft or the Prize officer or such other officer or person who was present at the capture shall make an oath to that effect.

10. *Goods.*—The provisions of sections 8 and 9 relating to ships and aircraft shall, so far as may be, extend and apply to goods taken as prize on board a ship or aircraft and the Prize Court may direct such goods to be unladen, inventoried and warehoused.

11. *Pre-emption.*—Where a ship of a foreign State passing the seas or an aircraft of a foreign State, laden with military or victualling stores intended to be carried to any place under the control of an enemy is taken in circumstances making it subject to adjudication as prize, and is brought under the control of the Government of India, and the purchase of such stores for the service of the Central Government appears to the said Government expedient without the condemnation thereof in a Prize Court, then the Central Government may purchase on account or for the service of the Central Government all or any of such stores.

12. *Prize proceedings not to apply to enemy warships and military aircraft.*—Nothing in this Act shall apply to a ship-of-war or military aircraft of the enemy or any other ship or aircraft owned by the enemy whether or not registered in the territory of the enemy or goods carried therein and no proceedings of prize shall be

necessary for the condemnation of such ship-of-war or military aircraft or other ship or aircraft or goods carried therein.

13. Capture to belong to Central Government.—(1) Subject to the provisions of sub-section (2), all prizes captured by the Armed Forces of the Union and condemned where necessary in the Prize Court shall be the exclusive property of the Central Government.

(2) The Central Government may, at its discretion, out of the proceeds of the prize, make a grant of such sum of money as it deems fit to the benevolent funds of the Armed Forces of the Union.

14. Prize salvage.—(1) Where any ship or goods or aircraft belonging to an Indian citizen, after being taken as prize by the enemy is or are retaken from the enemy, the same shall be restored by decree of a Prize Court to the owner on his paying to the Central Government as prize salvage one eighth part of the value of the prize to be decreed and ascertained by the Prize Court or such sum not exceeding one-eighth part of the estimated value of the prize as may be agreed upon between the owner and the Central Government and approved by the order of the Prize Court:

Provided that where the recapture is made in the circumstances of special difficulty or danger, the Prize Court may if it thinks fit award to the Central Government as prize salvage a larger part than one-eighth but not exceeding in any case one-fourth part of the value of the prize:

Provided further that where a ship or aircraft after being so taken is set forth or used by the enemy as a ship-of-war or military aircraft, the aforesaid provision for restitution shall not apply and subject to such compensation to the owner as the Prize Court may determine, the ownership of such ship or aircraft shall vest in the Central Government.

(2) Where a ship belonging to any Indian citizen, after being taken as prize, is retaken from the enemy, such ship may, with the consent of the recaptors, prosecute her voyage and it will not be necessary for the Central Government to proceed to adjudication till her return to a port in India.

(3) The master or owner of the ship or his agent may, with the consent of the Central Government, unload and dispose of the goods on board the ship before adjudication.

(4) In case the ship does not return within six months to a port in India, the Central Government may nevertheless institute proceedings against the ship or goods in a Prize Court and the Prize Court may thereupon award prize salvage as aforesaid and may enforce payment thereof.

(5) The provisions of sub-sections (2), (3) and (4) shall *mutatis mutandis* apply also to an aircraft belonging to any Indian citizen which, after being taken as prize, is retaken from the enemy.

15. Offences in respect of prize.—Every person who is guilty of a prize offence, that is to say, an offence which if committed by a person subject to naval law would be punishable under section 63, section 64, section 65, section 66 or section 67 of the Navy Act, 1957 (62 of

1957), shall be punished with imprisonment which may extend to two years or with fine or both.

16. Indemnity against legal proceedings.—(1) Notwithstanding anything contained in any other law for the time being in force, no suit, prosecution or other legal proceedings shall lie against any officer of the Armed Forces of the Union or any other person for any thing which is in good faith done or intended to be done in pursuance of this Act or any rules made thereunder.

(2) Save as otherwise expressly provided under this Act, no suit or other legal proceedings shall lie against the Central Government for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Act or any rules made thereunder.

17. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for regulating the practice and procedure of a Prize Court and for generally carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the institution of cases, issue and service of writs, summons and other processes, and entering appearance and making of claims;
- (b) affidavits concerning ship papers or aircraft papers and other affidavits to be or which may be made in a Prize Court or for the purpose of proceedings in a Prize Court;
- (c) pleadings, particulars, discovery and inspection of documents and facts, evidence and hearing;
- (d) issue of warrants for arrest of prize, and detention of prize;
- (e) sale, appraisement, safe custody and inspection of prize;
- (f) bail and release;
- (g) requisition by Central Government of ships, aircraft or goods in the custody of a Prize Court;
- (h) appointment of assessors and their fees;
- (i) enforcement and execution of decrees and orders;
- (j) stay of proceedings;
- (k) costs of or incidental to any proceedings in the Prize Court and as to the fees to be charged in respect of proceedings therein and as to the taking of security of costs;
- (l) procedure for hearing appeals and other matters pertaining to appeals;
- (m) appointment, duties and conduct of the officers of a Prize court and costs, charges and expenses to be allowed to petitioners therein;
- (n) the manner in which and the conditions subject to which the right of visit, search, detention or capture of any ship or aircraft or goods thereon may be exercised and the penalty for impeding the exercise of any such right;
- (o) the manner in which any such ship or aircraft or goods seized by or under the authority of any officer of the Armed Forces of the Union shall be kept in custody or disposed of;

- (p) the conditions for declaring any ship or aircraft or cargo thereon as hostile and for condemnation thereof;
- (q) the manner in which a ship or aircraft recaptured from the enemy may be disposed of;
- (r) the conditions subject to which a right of unhindered passage may be allowed to a ship or aircraft within the territory of India on the outbreak of hostilities or an armed conflict on the basis of reciprocity;
- (s) any other matter which may be, or is required to be, prescribed by rules.

(3) All rules made under this section shall be laid, as soon as may be, after they are made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which they are so laid or the session immediately following, both Houses agree in making any modification in the rules or both Houses agree that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under those rules.

18. Dissolution of Prize Courts.—The Central Government may at any time when there is no prize proceeding pending before a Prize Court dissolve that Prize Court, and make such further orders as to the custody of the records of that Court as may be considered necessary.

19. Repeals.—The Naval Prize Act, 1864, the Naval Agency and Distribution Act, 1864, the Prize Courts Act, 1894, the Prize Courts Procedure Act, 1914, the Prize Courts Act, 1915, the Naval Prize Act, 1918, the Prize Act, 1939, in so far as they apply in India are hereby repealed.

20. Savings.—Nothing in this Act shall—

- (a) give to the officers and seamen of the Indian Naval ships or officers and airmen of the Indian Military aircraft or to any other person concerned in the capture of the prize any right or claim in or to any ships, aircraft or goods taken as prize or the proceeds thereof; or
- (b) affect the operation of any existing treaty or convention with any foreign State; or
- (c) take away or abridge the powers of the Central Government to enter into any treaty or convention with any foreign State containing any stipulation that the Central Government may deem appropriate concerning any matter to which this Act relates.

Assented to on 23-12-1971.

THE COMPANIES (SURCHARGE ON INCOME-TAX) ACT, 1971

(ACT No. 62 OF 1971)

AN
ACT

to provide for the levy of a surcharge on income-tax payable in advance by companies during the financial year 1971-72 under the Income-tax Act, 1961.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Companies (Surcharge on Income-tax) Act, 1971.

2. Definitions.—In this Act, unless the context otherwise requires,—

- (a) “Income-tax Act” means the Income-tax Act, 1961 (43 of 1961);
- (b) all words and expressions used in this Act shall have the meanings respectively assigned to them in the Income-tax Act.

3. Levy of surcharge on income-tax payable by companies during 1971-72.—(1) Every company which is liable to pay advance tax under section 210 or section 212 of the Income-tax Act during the financial year commencing on the 1st day of April, 1971, shall, in addition to the advance tax so payable, pay to the credit of the Central Government on or before the 15th day of March, 1972, a further sum, by way of surcharge on income-tax calculated at the rate of two and one-half per cent of the amount specified in sub-section (2).

(2) The amount referred to in sub-section (1) shall be—

- (i) in a case where advance tax is required to be paid by an order under sub-section (1) or sub-section (3) of section 210 of the Income-tax Act, the amount specified in such order;
- (ii) in a case where advance tax is payable under sub-section (1) or sub-section (2) or sub-section (3) or sub-section (3A) of section 212 of the Income-tax Act on the basis of the estimate furnished by the company, the amount of advance tax so payable.

(3) Any sum required to be paid by a company as surcharge on income-tax under sub-section (1) shall be paid without any notice of demand to the company in that behalf from the Income-tax Officer.

4. Mode of recovery.—If the sum required to be paid under sub-section (1) of section 3 is not paid on or before the 15th day of March, 1972, the company shall be deemed to be an assessee in default and—

- (a) the company shall be liable to pay simple interest at nine per cent, per annum from the 16th day of March, 1972;
- (b) all the provisions of sections 221 to 227, section 229, section 231 and section 232 of the Income-tax Act and the Second and Third Schedules to that Act and any rules made thereunder shall, so far as may be, apply as if the said provisions were the provisions of this Act and referred to surcharge on income-tax and sums imposed by way of penalty and interest under this Act instead of to income-tax and sums imposed by way of penalty and interest under that Act and as if references to sub-section (2) of section 220 were references to clause (a) of this section.

5. Credit for surcharge.—Any sum paid by or recovered from a company as surcharge on income-tax in pursuance of this Act shall be treated as a payment of tax under the Income-tax Act in respect of the income of the period which would be the previous year for the assessment year commencing on the 1st day of April, 1972, and credit therefor shall be given to the company for the purposes of assessment under section 140 A, section 141A, section 143 or section 144 of the Income-tax Act.

Assented to on 23-12-1971.

THE JAYANTI SHIPPING COMPANY (ACQUISITION OF SHARES) ACT, 1971
(ACT No. 63 OF 1971)

AN
ACT

to provided for the acquisition of the shares of the Jayanti Shipping Company Limited in order to serve better the shipping needs of the nation and to facilitate the promotion and development, in the interests of the general public, of national shipping and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows.

CHAPTER I
PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Jayanti Shipping Company (Acquisition of Shares) Act, 1971.

(2) It shall be deemed to have come into force on the 17th day of October, 1971.

2. *Definitions.*—In this Act, unless the context otherwise requires,

(a) "appointed day" means the date of commencement of this Act;

(b) "company" means the Jayanti Shipping Company Limited, being a company as defined in the Companies Act, 1956 (1 of 1956), having its registered office at Bombay;

(c) "shareholder" means a person, who, immediately before the appointed day, was registered as a shareholder in the capital of the company;

(d) "Shipping Corporation of India" means the Shipping Corporation of India Limited, being a Government company as defined in the Companies Act, 1956 (1 of 1956), having its registered office at Bombay;

(e) words and expressions used but not defined in this Act and defined in the Companies Act, 1956 (1 of 1956), shall have the meanings respectively assigned to them in that Act.

CHAPTER II

ACQUISITION OF SHARES OF THE COMPANY

3. *Vesting of shares of company in Central Government and compensation therefor.*—(1) On the appointed day, —

(a) all shares in the capital of the company shall, by virtue of this Act, be deemed to be transferred to and vested in the Central Government free from all trusts, liabilities and encumbrances; and

(b) as compensation therefor the Central Government shall, in accordance with the provisions of section 4, pay to the shareholders the sum of rupees four crores and fifty lakhs only in the aggregate.

(2) For the removal of doubts it is hereby declared that the transfer and vesting of shares effected under clause (a) of sub-section (1) shall not be deemed to affect any right of the company subsisting immediately before the appointed day against any shareholder to recover from him any sum of money on the ground that the shareholder has not paid or credited to the company the whole or any part of the value of the shares held by him or on any other ground whatsoever.

4. *Apportionment and manner of payment of compensation.*—(1) The amount of compensation payable under clause (b) of sub-section (1) of section 3 to the shareholders shall be apportioned among the shareholders according to the number of shares held by such shareholders.

(2) The amount of compensation payable to a shareholder in accordance with the provisions of sub-section (1) shall be given to him, at his option—

(a) in cash (to be paid by cheque drawn on the Reserve Bank of India) in three equal annual instalments, the amount of each instalment carrying interest at the rate of four per cent per annum from the appointed day, or

(b) in saleable or otherwise transferable promissory notes or stock certificates of the Central Government issued and repayable at par, and maturing at the end of—

(i) ten years from the appointed day and carrying interest from that day at the rate of four and a half per cent per annum, or

(ii) thirty years from the appointed day and carrying interest from that day at the rate of five and a half per cent per annum, or

(c) partly in cash (to be paid by cheque drawn on the Reserve Bank of India) and partly in such number of securities, specified in sub-clause (i) or sub-clause (ii), or both, of clause (b), as may be required by the shareholder, or

(d) partly in such number of securities specified in sub-clause (i) of clause (b) and partly in such number of securities specified in sub-clause (ii) of that clause, as may be required by the shareholder.

(3) The first of the three equal annual instalments referred to in clause (a) of sub-section (2) shall be paid, and the securities referred to in clause (b) of that sub-section shall be issued, within sixty days from the date of receipt by the Central Government of the option referred to in that sub-section, or where no such option has been exercised, from the latest date before which such option ought to have been exercised.

(4) The option referred to in sub-section (2) shall be exercised by a shareholder before the expiry of a period of three months from the appointed day (or within such further time, not exceeding three months, as the Central Government may, on the application of the shareholder, allow) and the option so exercised shall be final and shall not be altered or rescinded after it has been exercised.

(5) If a shareholder omits or fails to exercise the option referred to in sub-section (2), within the time specified in sub-section (4), he shall be deemed to have opted for payment in securities specified in sub-clause (i) of clause (b) of sub-section (2).

(6) Notwithstanding anything contained in this section, a shareholder may, before the expiry of three months from the appointed day (or within such further time, not exceeding three months, as the Central Government may, on the application of the shareholder, allow) make an application in writing to the Central Government for—

(a) the full payment of the compensation payable to him, if the compensation payable to him does not exceed rupees two lakhs; or

(b) an interim payment of an amount equal to seventy-five per cent. of the face value of the shares in respect of which compensation is payable to him.

him, or rupees two lakhs, whichever is greater, if the compensation payable to him exceeds rupees two lakhs,

indicating in such application whether the payment is desired in cash or in securities specified in sub-section (2), or in both.

(7) The Central Government shall, within sixty days from the receipt of the application referred to in sub-section (6), make the full payment or, as the case may be, the interim payment to the shareholder in accordance with the option indicated in such application.

(8) The interim payment made to a shareholder under sub-section (7) shall be set off against the total amount of compensation payable to him under this Act and the balance of the compensation remaining outstanding after such payment shall be given to the shareholder in accordance with the option exercised, or deemed to have been exercised, under sub-section (4) or sub-section (5), as the case may be:

Provided that where any part of the interim payment is obtained by the shareholder in cash, the payment so obtained shall be set off, in the first instance, against the first instalment of the cash payment referred to in sub-section (2), and in case the payment so obtained exceeds the amount of the first instalment, the excess amount shall be adjusted against the second instalment and the balance of such excess amount, if any, against the third instalment of the cash payment.

(9) If any dispute arises as to the person entitled to receive the compensation payable in respect of any share, the Central Government shall deposit the amount of such compensation in the court for being paid to the person or persons entitled to be paid.

CHAPTER III

MANAGEMENT OF COMPANY

5. *Allocation of shares to Shipping Corporation of India and certain other persons.*—(1) All the shares of the company vested in the Central Government by virtue of this Act, except one hundred thereof, shall immediately after they have so vested, stand transferred to and vested in the Shipping Corporation of India.

(2) The Central Government may by order transfer the remaining shares to such persons as may be specified in the order to enable the company to function as a Government company.

(3) On the transfer of shares to the Shipping Corporation of India under sub-section (1) or to any person under sub-section (2), the company shall forthwith register each transferee as a member of the company.

(4) The amount paid by the Central Government for the acquisition of the shares which stand transferred to and vested in the Shipping Corporation of India under sub-section (1) shall be deemed to be the contribution by the Central Government to the equity capital of that Corporation and that Corporation shall issue (if necessary, after amending its memorandum and articles of association) to the Central Government paid-up shares in its capital for a corresponding amount.

6. *Amendment of memorandum and articles of association of company.*—For the purpose of enabling the company to function as a Government company, the Central Government may, by notification published in the Official Gazette, make such amendments in the memorandum and articles of association of the company as it may consider necessary.

7. *Interim management of company.*—(1) Notwithstanding anything contained in the Companies Act, 1956 (1 of 1956), or in the memorandum or articles of association of the company, on and from the appointed day and till a new Board of directors of the company is duly constituted, the persons specified in the Schedule shall be the directors of the company and shall constitute the Board of directors of the company.

(2) If any vacancy arises in the Board of directors specified in the Schedule, it shall be filled by the Central Government in such manner as it thinks fit and thereupon the Schedule shall be deemed to be amended accordingly.

(3) No act or proceeding of the Board of directors specified in the Schedule shall be invalid merely by reason of the existence of any vacancy in the membership of the Board.

CHAPTER IV

MISCELLANEOUS

8. *Directors, etc., not entitled to compensation.*—Notwithstanding anything contained in any law for the time being in force, no director or managerial personnel specified in section 197A of the Companies Act, 1956 (1 of 1956), or other person entitled to manage the whole or a substantial part of the business and affairs of the company under a special agreement or otherwise shall be entitled to any compensation against the company or the Central Government for the loss of office or for the premature termination of any contract of management entered into by him with the company whether such loss or termination was due to the provisions of the Jayanti Shipping Company (Taking Over of Management) Act, 1966 (24 of 1966) or this Act.

9. *Contracts in bad faith, etc., may be cancelled or varied.*—The company may, within three years from the appointed day, make an application to any court having jurisdiction in this behalf for the purpose of cancelling or varying any contract or agreement entered into, at any time before the issue of the notified order under sub-section (1) of section 3 of the Jayanti Shipping Company (Taking Over of Management) Act, 1966 (24 of 1966), between the company and any other person and the court may, if satisfied after due inquiry that such contract or agreement had been entered into in bad faith and is detrimental to the interests of the company, make an order cancelling or varying (either unconditionally or subject to such conditions as it may think fit to impose) that contract or agreement, and the contract or agreement shall have effect accordingly.

10. *Duty to deliver possession of property of company and documents relating to company.*—Any person who has in his possession, custody or under his control any property of, or any books, documents or other papers relating to the property and assets of, the company, including any letters, memoranda, notes or other communications between him and the company, shall be liable to account for the said property, books, documents and other papers (including such letters, memoranda, notes or other communications) to the company and shall deliver them up to the company or to such other person as may be authorised for the purpose by the company.

11. *Powers of inspection.*—(1) For the purpose of ascertaining whether any property is the property of the company or for any other purpose mentioned in this Act or the rules made thereunder, any person authorised by the Central Government in this behalf shall have the right to—

- (a) enter and inspect any premises;
- (b) require any person having the possession, custody or control of any register or record of the company to produce such register or record;
- (c) require the occupier of any property belonging to, or claimed to be the property of, the company, to submit to the person so authorised such accounts, books or other documents or to furnish to him such information as he may reasonably think necessary; and
- (d) examine any person having the control of, or employed in connection with, the company and require him to make any statement touching the affairs of the company.

(2) Any person authorised by the Central Government under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

12. Penalty for false statements.—If any person,—

- (a) when required by this Act or by any order under this Act to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or believes to be false or does not believe to be true; or
- (b) makes any such statement as aforesaid in any book, account, record, return or other document which he is required by any order made under this Act to submit,

he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

(2) Any person, who—

- (a) having in his possession, custody or control any property forming part of the assets of the company, wrongfully withholds such property from the company, or any person authorised by the company, or
- (b) wrongfully obtains possession of any property forming part of the assets of the company, or
- (c) wilfully withholds or fails to produce to any person authorised under this Act, any register, record or other document which may be in his possession, custody or control, or
- (d) fails, without any reasonable cause, to submit any accounts, books or other documents, when required to do so,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

13. Limitation on prosecution.—No court shall take cognizance of an offence under this Act except with the previous sanction of the Central Government or of an officer authorised by that Government in this behalf.

14. Act to have over-riding effect.—The provisions of this Act or any notification, order or rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any law other than this Act or in any instrument having effect by virtue of any law other than this Act or in any order made by a civil court.

15. Protection of action taken under this Act.—No suit, prosecution or other legal proceedings shall lie against the Central Government or the Shipping Corporation of India or any officer or other employee serving in connection with the affairs of the company for anything

which is in good faith done or intended to be done under this Act.

16. Power to make rules.—(1) The Central Government, may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

17. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order as occasion requires, do anything (not inconsistent with the provisions of this Act) which appears to it to be necessary for the purpose of removing the difficulty:

Provided that no such order shall be issued after the expiration of two years from the appointed day.

18. Repeals and saving.—(1) The Jayanti Shipping Company (Taking Over of Management) Act, 1966 (24 of 1966), is hereby repealed.

(2) The Jayanti Shipping Company (Acquisition of Shares) Ordinance, 1971 (14 of 1971), is hereby repealed:

Provided that notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of the Act.

THE SCHEDULE

[See section 7 (1)]

Name (1)	Designation and address (2)
<i>Chairman of the Board of Directors and Managing Director of the Company</i>	
Shri C. P. Srivastava	Chairman, Shipping Corporation of India Ltd., Bombay.
<i>Directors of the Company</i>	
Shri P. N. Jain	Joint Secretary, Ministry of Finance, New Delhi.
Shri P. N. Mathur	General Manager, Central Railway, Bombay.
Shri J. A. Dave	Managing Director, Food Corporation of India, New Delhi.
Shri Jasjit Singh	Member, Central Board of Excise and Customs, Ministry of Finance (Department of Revenue), New Delhi.
Shri Kamaljit Singh	Managing Director, Indian Oil Corporation Ltd., Bombay.
Shri B. P. Srivastav	Director (Projects), Ministry of Shipping and Transport, New Delhi.

Assented to on 23-12-1971

THE COKING COAL MINES (EMERGENCY PROVISIONS) ACT, 1971
(ACT No. 64 OF 1971)

AN
ACT

to provide for the taking over, in the public interest, of the management of coking coal mines and coke oven plants, pending nationalisation of such mines and plants.

WHEREAS it is expedient in the public interest that the coking coal mines and coke oven plants should be nationalised with a view to reorganising and reconstructing the coking coal mines and coke oven plants for the purpose of protecting, conserving and promoting scientific development of the resources of coking coal needed to meet the growing requirements of the iron and steel industry;

AND WHEREAS it is expedient, in the public interest, to take over the management of coking coal mines and coke oven plants pending nationalisation thereof;

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Coking Coal Mines (Emergency Provisions) Act, 1971.

(2) It shall be deemed to have come into force on the 16th day of October, 1971.

2. *Definitions.*—In this Act unless the context otherwise requires,—

(a) “appointed day” means the 17th day of October, 1971;

(b) “coke oven plant” means the plant and equipment with which the manufacture of hard coke has been, or is being, carried on and includes—

(i) all lands, buildings, works, machinery and equipment, vehicles, railways, tramways and sidings, adjacent to, and belonging to, or in, the coke oven plant,

(ii) all workshops belonging to the coke oven plant including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand,

(iii) all hard coke in stock or in transit or under production, and other stores, stocks and instruments, belonging to the coke oven plant,

(iv) all power stations belonging to the coke oven plant or operated for supplying electricity for the purpose of working the coke oven plant.

(v) all lands, buildings and equipment adjacent to or belonging to, the coke oven plant, where the washing of coal is carried on,

(vi) all other assets, movable or immovable, belonging to a coke oven plant, whether within its premises funds or outside, including cash balances, reserve and investments in so far as they relate to the coke oven plant and also any money lawfully due to the coke oven plant in relation to any period prior to the specified date;

(c) “coking coal mine” means a coal mine in which there exists one or more seams of coking coal, whether exclusively or in addition to any seam of other coal;

(d) “company” means a company as defined in section 3 of the Companies Act, 1956 (1 of 1956), and includes a foreign company within the meaning of section 591 of that Act;

(e) “Custodian” means the person appointed under section 5 to take over the management of the coking coal mine;

(f) “Government company” has the meaning assigned to it by section 617 of the Companies Act, 1956 (1 of 1956);

(g) “managing contractor” means the person, or body of persons, who, with the previous consent in writing of the State Government, has entered into an arrangement, contract or understanding, with the owner of the mine under which the operations of the mine are substantially controlled by such person or body of persons;

(h) “mine” means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes—

(i) all borings and bore holes;

(ii) all shafts adjacent to, and belonging to, or in, a mine, whether in the course of being sunk or not;

(iii) all levels and inclined planes in the course of being driven;

(iv) all open cast working;

(v) all conveyors or aerial ropeways provided for the bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom;

(vi) all lands, buildings, works, adits, levels, planes, machinery and equipment, vehicles, railways, tramways and sidings adjacent to, and belonging to, or in, a mine;

(vii) all workshops belonging to, or in, a mine including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand;

(viii) all coal in stock or in transit or under production and other stores, stocks and instruments belonging to, or in, a mine;

(ix) all power stations belonging to or in, a mine or operated for supplying electricity for the purpose of working the mine or a number of mines under the same management;

(x) all lands, buildings and equipment adjacent to, or belonging to, or in, a mine where the washing of coal or manufacture of coke is carried on;

(xi) all other assets, movable or immovable, belonging to a mine, whether within its premises or outside, including cash balances, reserve funds and investments in so far as they relate to the coking coal mine and also any money lawfully due to the coking coal mine in relation to any period prior to the appointed day;

(i) “mining company” means a company owning a coking coal mine, and in relation to a foreign, company within the meaning of section 591 of the Companies Act, 1956 (1 of 1956), the undertaking of that company in India;

(j) “notified order” means an order notified in the Official Gazette;

- (k) words and expressions used herein and not defined but defined in the Coal Mines (Conservation, Safety and Development) Act, 1952 (12 of 1952), have the meanings respectively assigned to them in that Act;
- (l) words and expressions used herein and not defined in this Act or in the Coal Mines (Conservation, Safety and Development) Act, 1952 (12 of 1952) but defined in the Mines Act, 1952, have the meanings respectively assigned to them in the Mines Act, 1952 (35 of 1952).

CHAPTER II

MANAGEMENT OF COKING COAL MINES

3. *Management of coking coal mines to vest in Central Government on the appointed day.*—(1) On and from the appointed day, the management of all coking coal mines shall vest in the Central Government.

(2) The coking coal mines specified in the First Schedule shall be deemed, for the purposes of this Act, to be the coking coal mines the management of which shall vest, under sub-section (1), in the Central Government:

Provided that if, after the appointed day, any other coal mine is found, after an investigation made by the Coal Board, to contain coking coal, that Board shall make a declaration to that effect and on and from the date of such declaration, such mine shall be deemed, for the purposes of this Act,—

(i) to vest in the Central Government; and

(ii) to be included in the First Schedule,

and thereupon the provisions of this Act shall become applicable thereto subject to the modification that for the words “appointed day”, wherever they occur, the words “the date of the declaration made by the Coal Board under sub-section (2) of section 3” shall be substituted.

4. *Management of coking coal mines pending the appointment of Custodian.*—(1) Pending the appointment of a Custodian under section 5 for any coking coal mine, the person in charge of the management of such mine immediately before the appointed day shall, on and from the appointed day, be in charge of the management of such mine for and on behalf of the Central Government; and the management of such mine shall be carried on by such person subject to the provisions contained in sub-sections (3) and (5) and such directions, if any, as the Central Government may give to him and no other person including the owner, shall, so long as such management continues, exercise any powers of management in relation to the coking coal mine.

(2) Any contract, whether express or implied, providing for the management of any coking coal mine, made before the appointed day between the owner of such mine and any person in charge of the management of such mine immediately before the appointed day, shall be deemed to have terminated on the appointed day.

(3) No person in charge of the management of a coking coal mine shall, without the previous approval of the person specified by the Central Government in this behalf in respect of that mine (hereinafter referred to as the “authorised person”),—

(a) incur any expenditure from the assets appertaining to the coking coal mine otherwise than for the purpose of making routine payments of salaries or commissions to employees, agents or for the purpose of meeting the routine day to day expenditure;

(b) transfer or otherwise dispose of any such assets or create any charge, hypothecation, lien or other incumbrance thereon;

(c) invest in any manner any monies forming part of such assets;

(d) acquire any immovable property out of the monies forming part of such assets;

(e) enter into any contract of service or agency, whether expressly or by implication, for purposes connected wholly or partly with the coking coal mine or vary the terms and conditions of any contract relating to any such transaction subsisting on the appointed day.

(4) The approval of the authorised person may be given either generally in relation to certain classes of transactions relating to the coking coal mine or specially in relation to any of its transactions.

(5) Every person in charge of the management of a coking coal mine shall deposit all securities and documents of title to any assets appertaining to such mine in any Scheduled Bank or Nationalised Bank in which the owner or agent had an account immediately before the appointed day or in any branch of the State Bank in the place where the head office or the principal office of the coking coal mine is situated or, where there is no branch of the State Bank in such place, the nearest branch of the State Bank; and no such security or document shall be withdrawn from the Scheduled Bank, the Nationalised Bank or the State Bank, as the case may be, except with the permission of the authorised person:

Provided that nothing contained in this sub-section shall apply to any security or document of title kept in trust with an Official Trustee in pursuance of the articles of association of any mining company unless the Central Government, by notified order, otherwise directs.

Explanation.—In this sub-section,—

(a) “Scheduled Bank” means a bank included for the time being in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934);

(b) “State Bank” means the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955);

(c) “Nationalised Bank” means a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970).

(6) Every person in charge of the management of a coking coal mine shall deliver forthwith to the person specified in this behalf by the Central Government in respect of that coking coal mine, the following documents, namely:—

(a) the minutes book or any other book in India containing all resolutions up to the appointed day of the persons in charge of the management of the coking coal mine before the appointed day;

(b) the current cheque books relating to the coking coal mine which are at the head office or the principal office of the coking coal mine;

(c) all registers or other books containing particulars relating to the investment of any monies appertaining to the coking coal mine including investments on mortgaged properties and all loans granted or advances made.

(7) Without prejudice to the generality of the powers conferred by sub-section (1) and the provisions contained in sub-section (3), (5) and (6), any direction issued under sub-section (1) may require the persons in charge of the

management of the coking coal mine under this Act to furnish to the Central Government or to the authorised person such returns, statements and other information relating to the coking coal mine as may be mentioned in the direction.

(8) The persons in charge of the management of the coking coal mine under this Act shall be entitled to such remuneration, whether by way of allowance or salary or perquisites as the Central Government may fix; and any such person may, by giving one month's notice in writing to the Central Government of his intention so to do, relinquish charge of the management of the coking coal mine.

5. *Power of Central Government to appoint Custodians to take over the management of coking coal mines.*—(1) The Central Government may, as soon as it is convenient administratively so to do, appoint any person as Custodian for the purpose of taking over the management of the coking coal mine and the person so appointed shall carry on the management of such mine for and on behalf of the Central Government.

(2) (a) The Central Government may also appoint a person as the Custodian-General for exercising supervision and control over all the coking coal mines the management of which is taken over under this Act, and on such appointment, every Custodian, appointed under sub-section (1), shall act under the guidance, control and supervision of the Custodian-General.

(b) The Central Government may also appoint one or more persons as Additional Custodian-General or Deputy Custodian-General for assisting the Custodian-General in the exercise of his powers and duties under this Act and the Custodian-General may delegate all or such of his powers as he may think fit, to the Additional or Deputy Custodian-General.

(c) Every Additional or Deputy Custodian-General shall exercise the powers delegated to him under the control and supervision of the Custodian-General.

(3) On the appointment of a Custodian under sub-section (1), the charge of management of the coking coal mine shall vest in him and all persons in charge of the management of such mine immediately before such appointment shall cease to be in charge of such management and shall be bound to deliver to the Custodian all assets, books of account, registers or other documents in their custody relating to the coking coal mine and any contract, whether express or implied, providing for the management of any coking coal mine, made before the appointed day between the owner of such mine and such persons, shall be deemed to have terminated on the date on which the Custodian is appointed.

(4) Nothing contained in section 4 shall apply to any coking coal mine the management of which has been taken over by the Custodian, but the Central Government may issue such directions to the Custodian as to his powers and duties as it deems desirable in the circumstances of the case, and the Custodian may apply to the Central Government at any time for instructions as to the manner in which he shall conduct the management of the coking coal mine or in relation to any matter arising in the course of such management.

(5) The Custodian shall receive from the funds of the coking coal mine for the charge of management of which he is appointed under sub-section (1) such remuneration as the Central Government may fix.

(6) The Custodian, the Custodian-General, Additional Custodian-General and Deputy Custodian-General shall hold office during the pleasure of the Central Government.

(7) The Central Government may, if it is of opinion that it is necessary so to do for the proper management of the coking coal mines, the management of which has vested in it under section 3, appoint a Government company, whether in existence at the commencement of this Act or incorporated after such commencement, as the Custodian of all the coking coal mines specified in the First Schedule, and all coke oven plants specified in the Second Schedule, and on such appointment, every person appointed as Custodian or the Custodian-General or Additional or Deputy Custodian-General under sub-section (1) or sub-section (2), as the case may be shall vacate his office as such and deliver to the Government company, so appointed, all assets, books of account, registers or other documents in his custody relating to the coking coal mine or the coke oven plant, as the case may be.

(8) On the appointment of a Government company as Custodian, the provisions of sub-sections (3), (4) and (5) shall apply to it as they apply to a Custodian appointed under sub-section (1).

6. *Payment of amount.*—(1) Every owner of a coking coal mine shall be given by the Central Government an amount, in cash, for vesting in it, under section 3, the management of such mine.

(2) For every month during which the management of the coking coal mine remains vested in the Central Government, the amount referred to in sub-section (1) shall be computed at the rate of twenty-five paise per tonne of coal on the highest monthly production of coal from such mine during any month in the years 1968, 1969, 1970 and 1971:

Provided that if in relation to any such coking coal mine, there was no production of coal during the said years the amount referred to in sub-section (1) shall be computed at the rate of five paise per tonne of such highest monthly coal producing capacity of the coking coal mine, before the appointed day, as may be assessed and declared by the Coal Board:

Provided further that in relation to a coking coal mine, the operations of which were immediately before the appointed day under the control of a managing contractor, the amount, as computed under this sub-section, shall be apportioned between the owner of the coking coal mine and such managing contractor in such proportions as may be agreed upon by or between the owner and such contractor, and in the event of there being no such agreement, in such proportions as may be determined by the principal civil court of original jurisdiction within the local limits of whose jurisdiction the head office of the coking coal mine is situated.

CHAPTER III

MANAGEMENT OF COKE OVEN PLANTS

7. *Management of coke oven plants to vest in the Central Government on the specified date.*—On and from such date as the Central Government may, by notified order, specify in this behalf (hereinafter, in this Chapter, referred to as the "specified date"), the management of the coke oven plants specified in the Second Schedule shall vest in the Central Government.

8. *Payment of amount.*—(1) Every owner of a coke oven plant specified in the Second Schedule and every owner of a coke oven plant which falls within the definition of coking coal mine, shall be given by the Central Government an amount in cash, for vesting in it, under section 7 or section 3, as the case may be, the management of such coke oven plant.

(2) For every month during which the management of the coke oven plant remains vested in the Central Government, the amount referred to in sub-section (1) shall be computed at the rate of—

- (a) seventy-five paise per tonne of by-product coke; and
 - (b) fifty-five paise per tonne of behive coke,
- on the highest monthly production of coke from such coke oven plant during any month in the years 1968, 1969, 1970 and 1971.

(3) For the avoidance of doubts, it is hereby declared that the owner of a coke oven plant, the management of which has vested in the Central Government under section 3, shall be given, in addition to the amount payable under section 6, such amount as is referred to in sub-section (1).

9. *Provisions of sections 4 and 5 and sections 10 to 20 to apply to this Chapter.*—The provisions of sections 4 and 5 and sections 10 to 20 (both inclusive) shall apply to a coke oven plant, the management of which has vested in the Central Government under section 7, as they apply to a coking coal mine, and references therein to a coking coal mine and the appointed day shall be construed, unless the context otherwise requires, as references, respectively, to a coke oven plant and the specified date.

CHAPTER IV

MISCELLANEOUS

10. *Penalties.*—If any person—

- (a) fails to deliver to the Custodian any assets, books of account, registers or any other document in his custody relating to the coking coal mine in respect of the management of which the Custodian has been appointed, or
 - (b) retains any property of such coking coal mine or removes or destroys it, or
 - (c) fails to comply with the provisions contained in sub-section (3) or sub-section (5) or sub-section (6) of section 4, or
 - (d) fails to comply with any directions issued under sub-section (1) or sub-section (4) of section 5,
- he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

11. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company such director, manager, secretary or other officer

shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) “company” means any body corporate and includes a firm or other association of individuals; and
- (b) “director”, in relation to a firm, means a partner in the firm.

12. *Mining companies not to be wound up by Court.*—No proceeding for the winding up of a mining company, the management of whose coking coal mines has vested in the Central Government under this Act or for the appointment of a Receiver in respect of such business, shall lie in any Court with the consent of the Central Government.

13. *Exclusion of period of operation of the Act for computing period of limitation.*—In computing the period of limitation prescribed by law for the time being in force for any suit or application against any person by a mining company in respect of any matter arising out of any transaction in relation to the coking coal mine, the time during which this Act is in force shall be excluded.

14. *Effect of Act on other laws.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any Court.

15. *Delegation of powers.*—(1) The Central Government may, by notified order, direct that all or any of the powers exercisable by it under this Act may also be exercised by any person or persons as may be specified in the order.

(2) Whenever any delegation of power is made under sub-section (1), the person to whom such power has been delegated shall act under the direction, control and supervision of the Central Government.

16. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against the Custodian-General, Additional Custodian-General, Deputy Custodian-General, any Custodian or authorised person in respect of anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against the Central Government or the Custodian-General, Additional Custodian-General, Deputy Custodian-General, any Custodian or authorised person for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

17. *Contracts, etc., in bad faith may be cancelled or varied.*—(1) If the Central Government is satisfied, after such inquiry as it may think fit, that any contract or agreement entered into, at any time within twelve months immediately preceding the appointed day, between the owner or agent of a coking coal mine and any other person, has been entered into in bad faith and is detrimental to the interests of the coking coal mine, make an order cancelling or varying (either unconditionally or subject to such conditions as it may think fit to impose) the contract or agreement and thereafter the contract or agreement shall have effect accordingly.

Provided that no contract or agreement shall be cancelled or varied except after giving to the parties to

the contract or agreement a reasonable opportunity of being heard.

(2) Any person aggrieved by an order made under sub-section (1) may make an application to the principal court of civil jurisdiction within the local limits of whose jurisdiction the head office of the coking coal mine is situated for the variation or reversal of such order and thereupon such court may, confirm, modify or reserve such order.

18. Power to terminate contract of employment.—If the Custodian is of opinion that any contract of employment entered into by any owner or agent of a coking coal mine, at any time before the appointed day, is unduly onerous, he may, by giving to the employee one month's notice in writing or the salary or wages for one month in lieu thereof, terminate such contract of employment.

19. Power to make employment.—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- the manner in which the coking coal mines will be managed by the Custodians, under the control and supervision of the Custodian-General;
- the constitution of a Board of Management, by whatever name called, for advising the Custodian-General in the management of the coking coal mines;
- the form and manner in which accounts of the coking coal mines shall be maintained;
- any other matter in relation to which such rule is required to be, or may be, made.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two

successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form, or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

20. Coking coal mines to which the Act shall not apply.—Nothing in this Act shall apply to any coking coal mine—

- owned or managed by a Government company or corporation owned or controlled by Government;
- owned or managed by a company engaged in the production of iron or steel:

Provided that this section shall not extend to such mine or part thereof which, in the opinion of the Central Government, is in excess of the requirement for the production of iron and steel by that company.

21. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

22. Repeal and savings.—(1) The Coking Coal Mines (Emergency Provisions) Ordinance, 1971 (12 of 1971), is hereby repealed.

(2) Notwithstanding such repeal, anything done, any action taken or any appointment, declaration or order made under the Ordinance so repealed, shall be deemed to have been done, taken or made, as the case may be, under the corresponding provisions of this Act.

THE FIRST SCHEDULE

[See section 3 (2)]

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine
1	2	3	4
A. EAST BOKARO COALFIELD			
1. Dhori	..	Post Office Bermo, District Hazaribagh	Ownership under dispute.
2. Kalyani Select Dhori	..	Post Office Pichri, District Hazaribagh	Gouri Shanker and Others, Post Office Bermo, Hazaribagh.
3. Khas Dhori	..	Post Office Pichri, District Hazaribagh	Khas Dhori Colliery Company, Post Office Katrasgarh, Dhanbad.
4. Pipradi	..	Post Office Gomia, District Hazaribagh	Pacific Coal Company, Post Office Gomia, District Hazaribagh.
5. Pichri	..	Post Office Pichri, District Hazaribagh	Pichri Coal Company Limited, Post Office Bermo, Hazaribagh.
6. Selected Dhori	..	Post Office Bermo, District Hazaribagh	Selected Dhori Colliery, Post Office Katrasgarh, Dhanbad.
7. Turiyo	..	Post Office Turiyo, District Hazaribagh	Bhuvaneswar Singh and Shrivdayal, Post Office Jharia, Dhanbad.
8. Tarmi	..	Post Office Turiyo, District Hazaribagh	Tarmi Colliery Company, Industrial Bank Building, Post Office Jharia, Dhanbad.
B. JHARIA COALFIELD			
1. Albion	..	Post Office Karmatand	Albion Colliery Company, Post Office Karmatand, Dhanbad.
2. Bokaro Jharia	..	Post Office Karmatand	Messrs Agarwalla Brothers, Post Office Karmatand, Dhanbad.

1	2	3	4
3. North Damuda	..	Post Office Nudkharkee	Hazaribagh Coal Syndicate (Private) Limited, Post Office Jharia, Dhanbad.
4. Kesurgarh	..	Post Office Nudkharkee	Manbhoom Coal Syndicate Limited, Post Office Jharia, Dhanbad.
5. Madhuband	..	Post Office Nudkharkee	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta.
6. Khas Benedih	..	Post Office Nawagarh	K. C. Mukherjee and Others, Post Office Hirapur, Dhanbad.
7. Benedih	..	Post Office Nudkharkee	Benedih Coal Concern, Post Office Katras, Dhanbad.
8. Khas Ganeshpur	..	Post Office Nawagarh	Khas Ganeshpur Coal Mines Limited 135, Canning Street, Calcutta.
9. Ganeshpur	..	Post Office Nawagarh	Ganeshpur Coal Company Limited, Post Office Ganeshpur, Dhanbad.
10. Ashakuti Phularitand	..	Post Office Kharkharee	Ashakuti Coal Company Limited, 1/1, Rowland Road, Calcutta-20.
11. Mohanpur	..	Post Office Kharkharee	Shrimati Parbati Devi, Post Office Kharkharee, Dhanbad.
12. New Bansjora	..	Post Office Kharkharee	S. K. Sahana and Sons (Private) Limited, Post Office Kharkharee, Dhanbad.
13. Khas Bhurungiya	..	Post Office Mohuda	Khas Bhurungiya Coal Company Post Office Jharia, Dhanbad.
14. Raneedhi/Pipratand	..	Post Office Mohuda	Sri K. K. Sablok, C/o Sudarsan Motors, Post Office Dhanesar, Dhanbad.
15. East Macheradih	..	Post Office Mohuda	East Macheradih Coal Company Limited, Post Office Jharia, Dhanbad.
16. New Huntodi	..	Post Office Mohuda	Doulatmal Routmal, 178, Mahatma Gandhi Road, Calcutta-1.
17. Murulidih	..	Post Office Mohuda	Kalyanji Mavji and Company, 14, Netaji Subhas Road, Calcutta-1.
18. Murulidih 20 and 21 pits	..	Post Office Mohuda	Bengal Coal Company Limited, 8, Clive Row, Calcutta-1.
19. Bhatde	..	Post Office Mohuda	Bengal Bhatdee Coal Company Limited, 14, Netaji Subhas road, Calcutta.
20. Kharkharee	..	Post Office Kharkharee	Bharat Mining Corporation Limited, 91, Stephen House, Dalhousie Square East, Calcutta-1.
21. New Sinidih	..	Post Office Kharkharee	Messrs Bamandiha Coal Company, 3, Synagogue Street, Calcutta.
22. Dharmaband	..	Post Office Katrasgarh	H. M. Barat and M. C. Barat, Post Office Katrasgarh, Dhanbad.
23. New Dharmaband	..	Post Office Malkera	Sethia Mining and Manufacturing Company Limited, 4, Bakul Bagan Road, Calcutta.
24. Maheshpur	..	Post Office Katrasgarh	Messrs Sahu Minerals and Properties Limited, A-3 Prithviraj Road, Jaipur.
25. Sinidih	..	Post Office Katrasgarh	Sinidih Colliery Concern (Private) Limited, Post Office Katrasgarh, Dhanbad.
26. Tuudoo Khas	..	Post Office Tundoo	J. P. Lalla and Sons Collieries (Private) Limited, Post Box No. 76, Dhanbad.
27. Bilbera	..	Post Office Katrasgarh	B. N. Mondal and Company, 22, Canning Street, Calcutta.
28. Jealgora Govindpur	..	Post Office Sonardih	Jealgora Govindpur Colliery Company Limited, Post Office Sonardih, Dhanbad.
29. South Govindpur	..	Post Office Katrasgarh	H. I. Pathak, Post Office Katrasgarh Dhanbad.
30. Diamond Tetturiya	..	Closed	Bihar Collieries Limited.
31. Central Tenturiya	..	Post Office Malkera	Sri Tarapada Lodha and Others, Post Office Katrasgarh, District Dhanbad.

1	2	3	4
32.	New Tontulia	.. Post Office Malkera	Tentulia Khas Colliery Company Limited, 25, Brabourne Road, Calcutta.
33.	Central Kooridih Sonardih	.. Post Office Katrasgarh	Central Kooridih Colliery Company, Post Office Katrasgarh, Dhanbad.
34.	New Gobindpur	.. Post Office Sonardih	New Gobindpur Coal Company Limited, 33, Canning Street, Calcutta-1.
35.	Khas Mehtadih	.. Post Office Katrasgarh	Messrs Khas Mehtadih Colliery Company, Post Office Katrasgarh, Dhanbad.
36.	Agardih	.. Post Office Katrasgarh	Agardih Colliery Company, Post Office Katrasgarh, District Dhanbad.
37.	Katras Choitodih	.. Post Office Katrasgarh	Burrakar Coal Company Limited, Chartered Bank Building Calcutta.
38.	Lakurka	.. Post Office Katrasgarh	Lakurka Coal Company Limited, 3, Synagogue Street, Calcutta.
39.	Koiludih	.. Post Office Katrasgarh	East Katrasgarh Colliery Company (Private) Limited, Post Office Katrasgarh, Dhanbad.
40.	Khas Govindpur	.. Post Office Katrasgarh	Khas Govindpur Coal Company (Private) Limited, Post Office Katrasgarh, Dhanbad.
41.	East Katras	.. Post Office Katrasgarh	East Katrasgarh Colliery Company (Private) Limited, Post Office Katrasgarh, Dhanbad.
42.	East Salanpur	.. Post Office Katrasgarh	East Salanpur Colliery Company, Post Office Katrasgarh, Dhanbad.
43.	Joint Salanpur	.. Post Office Katrasgarh	Not available.
44.	Khas Salanpur	.. Post Office Katrasgarh	Not available.
45.	North Salanpur	.. Post Office Katrasgarh	Sahai Brothers (Receiver H. S. Sahai), Post Office Katrasgarh, Dhanbad.
46.	Selected Salanpur	.. Post Office Katrasgarh	Selected Salanpur Colliery Company, Post Office Katrasgarh, Dhanbad.
47.	Central Salanpur	.. Post Office Katrasgarh	Central Salanpur Coal Concern, Post Office Katrasgarh, Dhanbad.
48.	Lakurka Khas-	.. Post Office Katrasgarh	Bharat's Debuttar Estate, Post Office Katrasgarh, Dhanbad.
49.	Salanpur	.. Post Office Katrasgarh	Shrimati Sarojini Devi, Post Office Katrasgarh, Dhanbad.
50.	New Lakurka	.. Post Office Katrasgarh	New Lakurka Colliery Company, Post Office Katrasgarh, Dhanbad.
51.	National Angarpathra	.. Post Office Katrasgarh	National Coal Company (Private) Limited, 48/1, Ram Tarun Bose Lane, Calcutta-6.
52.	Union Angarpathra	.. Post Office Sijua	Union Coal Company Limited, 135, Biplabi Rash Behari Basu Road, Calcutta-1.
53.	Gaslitan	.. Post Office Sijua	New Manbhum, Coal Company, 138, Biplabi Rash Behari Basu Road, Calcutta-1.
54.	Ramkanali	.. Post Office Katrasgarh	Bijali Kanti Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad.
55.	Trigmait Angarpathra	.. Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.
56.	Kanta Pahari	.. Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.
57.	Khas Angarpathra	.. Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.
58.	Jharia Khas	.. Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.

1	2	3	4
59.	East Angarpathra	.. Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.
60.	Mahabir Angarpathra	.. Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office, Katrasgarh, Dhanbad.
61.	Diamond Angarpathra	.. Post Office Katrasgarh	Diamond Angarpathra Colliery Company, Post Office Katrasgarh, Dhanbad.
62.	Mudidih	.. Post Office Sijua	Burrakar Coal Company, Chartered Bank Building, Calcutta.
63.	Badrachuk	.. Post Office Sijua	Burrakar Coal Company, Chartered Bank Building, Calcutta.
64.	Jogta	.. Post Office Sijua	Jogta Coal Company Limited, Post Office Sijua, Dhanbad.
65.	Sendra	.. Post Office Bansjora	Messrs Hind Shippers Limited, 135, Biplabi Rash Behari Basu Road, Calcutta-1.
66.	Sendra Bansjora-Gopal Gararia	.. Post Office Bansjora	Sendra Bansjora Colliery Company, (Private) Limited, 135, Canning Street, Calcutta-1.
67.	Kankaree	.. Post Office Bansjora	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta.
68.	Loyabad	.. Post Office Bansjora	Burrakar Coal Company Limited, Chartered Bank Building, Calcutta-1.
69.	Pootkee	.. Post Office Kusunda	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta.
70.	Gupalichuck (West)	.. Post Office Kusunda	Central Kirkend Coal Company, Limited, 91, Stephen House, Dalhousie Square East, Calcutta-1.
71.	Central Kirkend	.. Post Office Kusunda	Central Kirkend Coal Company Limited, 91, Stephen House, Dalhousie Square East, Calcutta-1.
72.	Motiram Kirkend	.. Post Office Kusunda	Motiram Roshanlal Coal Company (Private) Limited, Kusunda, Dhanbad.
73.	Khas Kirkend	.. Post Office Kusunda	Bhuramal Agarwal, Post Office Dhansar, Dhanbad.
74.	Roy Kirkend	.. Post Office Kusunda	The New Marine Coal Company (Bengal) Limited, 111, Chittaranjan Avenue, Calcutta.
75.	New Marine	.. Post Office Kusunda	The New Marine Coal Company (Bengal) Limited, 111, Chittaranjan Avenue, Calcutta.
76.	Ekra Khas	.. Closed	Sahu Minerals and Properties.
77.	Bansdeopur	.. Post Office Kusunda	New Bansdeopur Coal Company Limited, 28-B, Netaji Subhas Road, Calcutta.
78.	North Ekra	.. Post Office Bansjora	North Ekra Coal Company, Post Office Bansjora, Dhanbad.
79.	Gararia	.. Post Office Bansjora	The Gararia Colliery Company (Private) Limited, Post Office Bansjora, Dhanbad.
80.	Central Gararia	.. Post Office Bansjora	Central Gararia Colliery Company, Post Office Bansjora, Dhanbad.
81.	Gararia	.. Post Office Bansjora	Tikmani and Company, Post Office Bansjora, Dhanbad.
82.	Chhota Bowd	.. Post Office Bansjora	Chhota Bowa Colliery Company Limited, Post Office Bansjora, Dhanbad.
83.	Busseriya	.. Post Office Kusunda	Busseriya Coal Company (Private) Limited, 13, Radhabazar Lane, Calcutta-1.
84.	East Ekra	.. Post Office Bansjora	East Ekra Coal Company, C/o K. Worah, Jora Bangalow, Dhanbad.
85.	Busseriya North and South	.. Post Office Bansjora	Not available—Mine closed.

1	2	3	4
86.	North Busseriya	.. Post Office Bansjora	North Busseriya Colliery Company, Post Office Bansjora, Dhanbad.
87.	Surendra East Loyabad	.. Post Office Kirkend	Surendra East Loyabad Colliery Company, Post Office Kusunda, Dhanbad.
88.	Gondudih	.. Post Office Kusunda	Central Alkusa Colliery Company, Post Office Kusunda, Dhanbad.
89.	Dhariajoba	.. Post Office Kirkend	Not available—Mine closed.
90.	West Godhur	.. Post Office Kusunda	H. D. Agarwalla and Sons (P) Ltd. Post Office Jharia, Dhanbad.
91.	Godhur	.. Post Office Kusunda	Godhur Colliery Company, Post Office Kusunda, Dhanbad.
92.	Pure Kustore	.. Post Office Kusunda	Pure Kustore Colliery Company Limited, Post Office Kusunda, Dhanbad.
93.	Nayadee Kusunda	.. Post Office Kusunda	Kusunda Nayadee Colliery Company Private Limited, Post Office Kusunda, Dhanbad.
94.	Kusunda	.. Post Office Kusunda	Not available—Area on Fire—Closed.
95.	West Bhuggutdih	.. Post Office Jharia	Amalgamated with West En (97).
96.	Industry	.. Post Office Dhansar	Kalyanji Mavji and Company, Post Office Dhansar, Dhanbad.
97.	West Ena	.. Post Office Dhansar	Kalyanji Mavji and Company, Post Office Dhansar, Dhanbad.
98.	Kendwadih	.. Post Office Kusunda	East India Coal Company Limited, Post Office Jealgora, Dhanbad.
99.	Balihari C.T.C.	.. Post Office Kusunda	Not available.
100.	Kutchi Ballihari	.. Post Office Kusunda	Ballihari Colliery Company (Private) Ltd., 14, Netaji Subhas Road, Calcutta-1.
101.	South Bulliary	.. Post Office Kusunda	East India Coal Company Limited, Post Office Jealgora, Dhanbad.
102.	Bhagaband	.. Post Office Bhagaband	The Borrea Coal Company Limited, Chartered Bank Building, Calcutta-1.
103.	Kendwadih	.. Post Office Bhaga	Equitable Coal Company Limited, 2/1, Lord Sinha Road, Calcutta.
104.	Gonshadih	.. Post Office Kusunda	Shri Biswanath Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad.
105.	Alkusa South	.. Post Office Kustore	Raneegunge Coal Association Limited, 3-A, Chowringhee Place, Calcutta-13.
106.	Kustore	.. Post Office Kustore	Raneegunge Coal Association Limited, 3-A, Chowringhee Place, Calcutta-13.
107.	Burragarh	.. Post Office Jharia	Raneegunge Coal Association Limited, 3-A, Chowringhee Place, Calcutta-13.
108.	Pure Burragarh	.. Post Office Jharia	Raneegunge Coal Association Limited, 3-A, Chowringhee Place, Calcutta-13.
109.	Bhutgoria	.. Post Office Bhaga	Equitable Coal Company Limited, 1/2, Lord Sinha Road, Calcutta-16.
110.	Hurriladih	.. Post Office Bhaga	Equitable Coal Company Limited, 1/2, Lord Sinha Road, Calcutta-16.
111.	Simlabahal	.. Post Office Jharia	Shri P. Roy, Director and nominated owner, Bhalgora Coal Company, 3, Synagogue Street, Calcutta.
112.	Bhuggatdih	.. Post Office Dhansar	Bengal Nagpur Coal Company, 5, Synagogue Road, Calcutta-1.
113.	Ena	.. Post Office Dhansar	North West Coal Company Limited, 5, Synagogue Road, Calcutta-1.
114.	East Bhalgora	.. Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.
115.	Khas Jharia	.. Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.

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116.	East Ena	.. Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.
117.	East Bhuggatdih	.. Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.
118.	Selected Khas Jharia	.. Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.
119.	Selected Jharia	.. Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.
120.	Bhalgora	.. Post Office Jharia	Bhalgora Coal Company Limited, 3, Synagogue Street, Calcutta-1.
121.	Selected Model Jharia	.. Post Office Jharia	Amalgamated with East Bhuggatdih (117).
122.	New Khas Jharia	.. Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.
123.	Fularibad	.. Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.
124.	New Pure Jharia	.. Post Office Jharia	D. D. Thackher and Sons, Post Office Dhanbad. Closed. On fire.
125.	Rajapur	.. Post Office Jharia	The Rajapur Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.
126.	Khas Bhuggatdih	.. Post Office Jharia	Khas Bhuggatdih Colliery Company, Post Office Jharia, Dhanbad.
127.	Pure Jharia	.. Post Office Jharia	D. D. Thackher and Sons, Post Office Dhanbad. Closed. On fire.
128.	K. P. Dobari	.. Post Office Jharia	K. P. Dobari, Post Office Jharia.
129.	South Jharia	.. Post Office Jharia	J. K. Banerjee and Others, Post Box No. 46, Hirapur, District Dhanbad.
130.	East Pure Jharia	.. Post Office Jharia	Not available.
131.	Dobari	.. Post Office Jharia	R. N. Bagchi and Brothers, 5/8, Middle Row, Calcutta.
132.	East Model Jharia	.. Post Office Jharia	Not available.
133.	Model Jharia	.. Post Office Jharia	J. K. Banerjee and Others, Post Box No. 46, Hirapur, District Dhanbad.
134.	Golden Jharia	.. Post Office Jharia	Bharat Fire Bricks and Pottery Works.
135.	Fatehpur	.. Post Office Jharia	Bharat Fire Bricks and Pottery Works, Jharia.
136.	Pure Durgapur	.. Post Office Jharia	Bharat Fire Bricks and Pottery Works, Jharia.
137.	Khas Jharia	.. Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.
138.	Sonalibad	.. Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.
139.	Ganroodjh	.. Post Office Jharia	S. B. Banerjee and Sons, Post Office Jharia, Dhanbad.
140.	East Jharia	.. Post Office Jharia	Not available.
141.	K. P. Kujama	.. Post Office Jharia	Kujama Colliery Company, Post Office Jharia, Dhanbad.
142.	Kujama	.. Post Office Jharia	Kujama Colliery Company, Post Office Jharia, District Dhanbad.
143.	North Kujama	.. Post Office Jharia	Ganji Dossa and Company, Post Office Jharia, Dhanbad.
144.	Central Kujama	.. Post Office Jharia	Central Kujama Coal Concern, Post Office Jharia, Dhanbad.
145.	Nanji Kujama	.. Post Office Jharia	Central Kujama Coal Concern, Post Office Jharia, Dhanbad.
146.	Pandebera	.. Post Office Jharia	Central Kujama Coal Concern, Post Office Jharia, Dhanbad.
147.	Pure Kujama	.. Post Office Jharia	Central Kujama Coal Concern, Office Jharia, Dhanbad.

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148.	Kujama Pandabera	.. Post Office Jharia	Central Kujama Coal Concern, Post Office Jharia, Dhanbad.
149.	South Kujama	.. Post Office Jharia	Bagdigi Kujama Collieries Company (1948) Limited, Post Office Jharia, Dhanbad.
150.	Goluckdih	.. Post Office Jharia	Goluckdih Colliery Company, 22, Burtolla Street, Calcutta.
151.	South Goluckdih	.. Post Office Jharia	South Goluckdih Coal Company, Post Office Jharia, Dhanbad.
152.	Central Jharia	.. Post Office Jharia	Messrs. Khimji Dossa and Sons, Post Office Jharia, Dhanbad.
153.	Indian Jharia	.. Post Office Jharia	Messrs. Khimji Dossa and Sons, Post Office Jharia, Dhanbad.
154.	Lower Upper Jharia	.. Post Office Jharia	Khimji Dossa and Sons, Post Office Jharia, Dhanbad.
155.	Central Tisra	.. Post Office Jharia	Shri K. D. Singh, Post Office Jharia, Post Box No. 111, Dhanbad.
156.	Tisra	.. Post Office Jharia	Dhanji Devji and Sons, Post Office Jharia, Dhanbad.
157.	Tisra	.. Post Office Jharia	The Diamond Coal Company Private Limited, Post Office Jharia, Dhanbad.
158.	Tisra	.. Post Office Jharia	Amarsingh Gowamal and Sons, Post Box No. 47, Jharia, Dhanbad.
159.	Sree Commercial	.. Post Office South Tisra	Bengal Jharia Colliery Company (Private) Limited, Post Office South Tisra, Dhanbad.
160.	Bengal Jharia	.. Post Office South Tisra	Bengal Jharia Colliery Company (Private) Limited, Post Office South Tisra, Dhanbad.
161.	East India	.. Post Office Jeenagora	Part of Khas Joyrampur.
162.	South Tisra	.. Post Office Tisra	South Tisra Colliery Company Limited, Post Office Jharia, Dhanbad.
163.	Khas Joyrampur	.. Post Office Khas Jeenagora	Khas Joyrampur Colliery Company, Post Office Khas Jeenagora, Dhanbad.
164.	Kalistan Jeenagora	.. Post Office Khas Jeenagora	K. B. Seal and Sons, 28, Raja K. L. Goswami Street, Post Office Serampur, District Hoogly (West Bengal).
165.	Lower Joyrampur	.. Post Office Jeenagora	Part of Khas Joyrampur.
166.	New Jeenagora	.. Post Office Khas Jeenagora	Khas Jeenagora Colliery Limited, 135 Biplabi Rash Behari Basu Road, Calcutta-1.
167.	Central Jeenagora	.. Post Office Khas Jeenagora	Khas Jeenagora Colliery Limited, 135, Biplabi Rash Behari Basu Road, Calcutta-1.
168.	Bararee Joyrampur	.. Post Office Jeenagora	Not available.
169.	Pure Joyrampur	.. Post Office Khas Jeenagora	Amalgamated with Khas Joyrampur.
170.	North Bararee Jeenagora	.. Post Office Jeenagora	Part of Central and New Jeenagoras.
171.	Khas Jeenagora	.. Post Office Khas Jeenagora	Khas Jeenagora Colliery Limited, 135, Biplabi Rash Behari Basu Road, Calcutta-1.
172.	East Hararee	.. Post Office Khas Jeenagora	Jeenagora East Bararee Colliery Company, Post Office Katrasgarh, Dhanbad.
173.	Sri Jeenagora	.. Post Office Khas Jeenagora	Jeenagora East Bararee Colliery Company, Post Office Katrasgarh, Dhanbad.
174.	New Suratan	.. Post Office Jharia	Not available.
175.	Kalithan Suratand	.. Post Office Jharia	K. B. Seal and Sons, Post Office Jharia, Dhanbad.
176.	Niluri Patra	.. Post Office Jharia	Niluri Patra, Post Office Jharia, Dhanbad.
177.	North Burrakar Suratand	.. Post Office Jharia	The New Standard Coal Company (Private) Limited, 27, Place Court. I, Kyd Street, Calcutta-16.

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178.	North Burakar Lodna	Post Office Jharia	The New Standard Coal Company (Private) Limited, 27, Place Court, 1, Kyd Street, Calcutta-16.
179.	Lodna	Post Office Jharia	The New Standard Coal Company (Private) Limited, 27, Place Court, 1, Kyd Street, Calcutta-16.
180.	Standard Bhaga	Post Office Bhaga	Standard Coal Company, Post Office Bhaga, Dhanbad.
181.	Lodna	Post Office Jharia	Lodna Colliery Company (1920) Limited, 6, Lyons Range, Calcutta.
182.	Madhuban Lodna	Post Office Jharia	Lodna Colliery Company (1920), Limited, 6, Lyons Range, Calcutta.
183.	Bagdigi	Post Office Jharia	Londna Colliery Company (1920) Limited, Post Office Jharia, Dhanbad.
184.	Jealgora	Post Office Jealgora	East India Coal Company Limited, Post Office Jealgora, Dhanbad.
185.	Bararee	Post Office Jealgora	East India Coal Company Limited, Post Office Jealgora, Dhanbad.
186.	Bhulanbararee	Post Office Patherdih	Bhulanbararee Coal Company Limited, 4, Clive Road Calcutta-1.
187.	Lachmi	Post Office Patherdih	Lachmi Coal Company, 31, Mullick Street, Calcutta.
188.	Amlabad	Post Office Bhowrah	Oriental Coal Company Limited, Thapar House, 25, Brabourne Road, Calcutta-1.
189.	Bhowrah North	Post Office Bhowrah	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta-1.
190.	Bhowrah South	Post Office Bhowrah	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta-1.
191.	Mohalbani	Post Office Bhowrah	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta-1.
192.	Central Bhowrah	Post Office Bhowrah	Central Bhowrah Coal Company, Post Office Jharia, Dhanbad.
193.	Sitanala	Post Office Bhojudih	Mohatta Brothers, 19, British Indian Street, Calcutta-1.
194.	East Bhowra	Post Office Patherdih	Shrimati Jyostes Devi, Post Office Sitarampur, District Burdwan.
195.	East Sowardih	Post Office Patherdih	J. N. Supakar Brothers and Company, Post Office Patherdih, Dhanbad.
196.	Patherdih	Post Office Patherdih	Patherdih Sudamdih Colliery (Private) Limited, post Office Patherdih, Dhanbad.
197.	New Sudamdih	Post Office Patherdih	New Sudamdih Colliery Company, Post Office Patherdih, Dhanbad.
198.	Selected Partherdih	Post Office Patherdih	Selected Partherdih Coal Company Limited, 12, Tarachand Dutta Street, Calcutta-1.
199.	New Chasnalla	Post Office Jharia	New Chasnalla Coal Concern, Post Office Jharia, Dhanbad.
200.	Pure Chasnalla	Post Office Patherdih	Pure Chasnalla Colliery Company, 192, Cross Street, Calcutta-7

C. RANEEGUNGE COALFIELD

1. Junkundar	.. Post Office Chirkunda, District Dhanbad.	D. Mondal and Company Limited, Post Office Dishergarh, District Burdwan, West Bengal.
2. Laikdih Deep	.. Post Office Chirkunda, District Dhanbad.	Katras-Jharia Coal Company Limited, 8, Clive Row, Calcutta-1.
3. Chanch	.. Post Office Chirkunda, District Dhanbad.	Bengal Coal Company Limited, 8, Clive Row, Calcutta-1.
4. Victoria	.. Post Office Kulti, District Burdwan	New Birbhoom Coal Company Limited, 8, Clive Row, Calcutta-1.
5. Victoria West	.. Post Office Kulti, District Burdwan	New Birbhoom Coal Company Limited, 8, Clive Row, Calcutta-1.
6. Begunia	.. Post Office Barakar, District Burdwan	Messrs. K. C. Thapar and Brothers (Private) Limited, 25, Brabourne Road, Calcutta.

THE SECOND SCHEDULE

(See section 7)

Sl. No.	Name of the coke oven plant	Location of the coke oven plant	Name and address of the owners of the coke oven plant
1.	Bararee Coke Plant	South Balliary Kendwadih Colliery, Post Office Kusunda, District Dhanbad.	Bararee Coke Company Limited, 4, Clive Row, Calcutta-1.
2.	Bhowra Coke Plant	Bhowra South Colliery, Post Office Bhowra, District Dhanbad.	Messrs. Bhowra Coke Company, Bhattacharya's House, Lubi-Circular Road, Dhanbad.
3.	Bhulanbararee	Bhulanbararee Colliery, Post Office Patherdih, District Dhanbad.	Bararee Coke Company Limited, 4, Clive Row, Calcutta-1.
4.	Central Bhowra	Central Bhowra Colliery, Post Office Bhowra, District Dhanbad.	Central Bhowra Coal Company (Private) Limited, Post Office Jharia; and G. D. Kumar and Sons, Bastacolla, Post Office Dhansar, Dhanbad.
5.	Central Kooridih	Central Kooridih-Sonardih Colliery, Post Office Katrasgarh, Dhanbad.	Shivram Singh and Company (Private) Limited, Post Office Katrasgarh, District Dhanbad.
6.	Junkundar Valley Beehive Coke Plant.	Junkundar Colliery, Post Office Chirkunda, District Dhanbad.	D. Mondal and Company Limited, Panchayat Road, Post Office Chirkunda, District Dhanbad.
7.	New Gobindpur	New Gobindpur Colliery, Post Office Sonardih, District Dhanbad.	Ghosh's Estate Private Limited, 33, Canning Street, Calcutta-1.
8.	New Standard Lodna	New Standard Lodna Colliery, Post Office Jharia, District Dhanbad.	Messrs. Singh Sachdeva, Post Office Dhansar, Dhanbad.
9.	New Sudamdih	New Sudamdih Colliery, Post Office Patherdih, District Dhanbad.	Sanjive Coke Manufacturing Company, Care of H. D. Adjmera, Post Office Patherdih, District Dhanbad.
10.	North Kujama	North Kujama Colliery, Post Office Jharia, Dhanbad.	Beehive Hard Coke Manufacturing Company, Chowra Construction Company (Private) Limited, III, Central Avenue, Calcutta.
11.	Ramkanaly	Ramkanaly Colliery, Post Office Katrasgarh, District Dhanbad.	Bijali Kanti Roy, Keshalpur House, Post Office Kartasgarh, Dhanbad; and M.C. Coal Company. Post Office Jharia, Dhanbad.
12.	Union Angarpathra	Union Angarapathra Colliery, Post Office Katrasgarh, District Dhanbad.	Satyadeo Singh Coal Company (Private) Limited, 138, Biplabi Rash Behari Basu Road, Calcutta-1.

Assented to on 23-12-1971.

THE ASIAN REFRACTORIES LIMITED (ACQUISITION OF UNDEROAKING) ACT, 1971

(ACT No. 65 OF 1971)

AN

ACT

to provide for the acquisition of the undertaking of the Asian Refractories Limited for the purpose of augmenting supplies of refractories to meet the essential requirements of the iron and steel industry.

WHEREAS the Asian Refractories Limited is in liquidation and has stopped its production;

AND WHEREAS the total production of refractories in India is inadequate and insufficient to meet the essential requirements of the iron and steel industry;

AND, WHEREAS the supplies of refractories can be augmented by speedily bringing the Asian Refractories Limited into operation and expanding its capacity thereafter;

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Asian Refractories Limited (Acquisition of Undertaking) Act, 1971.

(2) It shall be deemed to have come into force on the 17th day of October, 1971.

2. *Definitions.*—In this Act, unless the context otherwise requires, —

(a) "appointed day" means the 17th day of October, 1971;

(b) "company" means the Asian Refractories Limited, being a company as defined in the Companies Act, 1956 (1 of 1956), having its registered office in the State of West Bengal;

(c) words and expressions used herein and not defined but defined in the Companies Act, 1956 (1 of 1956), have the meanings respectively assigned to them in that Act.

3. *Undertaking of the company to vest in the Central Government.*—On and from the appointed day, the undertaking of the company shall, by virtue of this Act, be transferred to, and shall vest in, the Central Government, free from all incumbrances.

4. *General effect of vesting.*—(1) The undertaking of the company shall be deemed to include all assets, rights, powers, authorities and privileges and all property, movable and immovable, cash balances, reserve funds, investments and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power or control of the company, whether within or outside India, and all books of accounts, registers and all other documents of whatever nature relating thereto.

(2) All property included as aforesaid in the undertaking which has vested in the Central Government under section 3 shall, by force of such vesting, be freed and discharged from any trusts, obligations, mortgages, charges, liens and other incumbrances affecting it, and any attachment, injunction or any decree or order of any court restricting the use of such property in any manner shall be deemed to have been withdrawn.

(3) If, on the appointed day any suit, appeal or other proceeding of whatever nature in relation to any business of the undertaking of the company is pending by or against the company, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertaking of the company or of anything contained in this Act but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the company.

5. *Duty to deliver possession of the undertaking and documents relating thereto.*—(1) Notwithstanding any decree, judgment or order of any court or anything contained in any other law for the time being in force, the Official Liquidator of the company or any other person, in whose possession or custody or under whose control the undertaking of the company or any part thereof may be, shall deliver possession of the undertaking of the company or such part thereof, as the case may be, to the Central Government forthwith.

(2) The Official Liquidator or any other person who has, on the appointed day, in his possession or under his control any books, documents or other papers relating to the undertaking of the company which has vested, under section 3, in the Central Government, shall be liable to account for the said books, documents or other papers to the Central Government and shall deliver them up to the Central Government or to such person as the Central Government may specify in this behalf.

(3) The Central Government may take, or cause to be taken, all necessary steps for securing possession of the undertaking which has vested in it under section 3.

6. *Duty to furnish particulars.*—The company shall, within such period as the Central Government may allow in this behalf, furnish to that Government a complete inventory of all the properties and assets of the company, as on the appointed day, pertaining to the undertaking which has vested in the Central Government under section 3.

7. *Payment of compensation.*—(1) The Central Government shall deposit, in Court, in cash, to the credit of the company a sum of rupees eighty-one lakhs as compensation in respect of the transfer, under section 3, to the Central Government of the undertaking of the company.

(2) Out of the total amount of compensation referred to in sub-section (1).—

(a) a sum of rupees eight lakhs shall be deposited by the Central Government, within three months from the appointed day, to the credit of the company;

(b) the balance of the amount of compensation shall be deposited in Court by the Central Government in ten equal annual instalments, the first of which shall become due on the date on which a period of one year expires from the appointed day and the subsequent instalments shall become due accordingly; and

(c) each instalment of the compensation, referred to in clause (b), shall carry interest at the rate of seven per cent per annum from the commencement of this Act.

(3) For the avoidance of doubts, it is hereby declared that the compensation referred to in sub-section (1) represents the realisable value of the assets of the undertaking, which has vested in the Central Government under section 3, and the liabilities of the undertaking shall be met from the said amount of compensation.

(4) In meeting the liabilities of the undertaking which

has vested in the Central Government under section 3, the Court, by which the company owning such undertaking is being wound up, shall distribute, in due course of administration, the amount of the compensation amongst the creditors and, if there is any surplus left after such distribution, amongst the contributories of the company in accordance with their rights and interests.

8. *Management and administration of the undertaking.*—The undertaking, which has vested in the Central Government under section 3, shall be managed on behalf of the Central Government by such person or body of persons as may be nominated by the Central Government in this behalf, and such person or body of persons shall carry on the management in accordance with such regulations as may be made by the Central Government.

9. *Penalties.*—(1) Any person who—

- having in his possession, custody or control any property forming part of the undertaking of the company, wrongfully withholds such property from the Central Government; or
- wrongfully obtains possession of any property forming part of the undertaking of the company which has vested in the Central Government under this Act; or
- wilfully withholds or fails to furnish to the Central Government or any person specified by that Government as required by sub-section (2) of section 5 any document which may be in his possession, custody or control; or
- wilfully fails to furnish an inventory as required under section 6; or
- when required to furnish such inventory, furnishes

any particulars therein which are false and which he either knows or believes to be false or does not believe to be true,

shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both:

Provided that the court trying any offence under clause (a) or clause (b) or clause (c) of this sub-section may, at the time of convicting the accused person, order him to deliver up or refund within a time to be fixed by the court any property wrongfully withheld or wrongfully obtained or any document wilfully withheld or not furnished:

Provided further that nothing contained in this section or any other provision of this Act shall render any person liable to be convicted of an offence in respect of anything done or omitted to be done by him before the appointed day.

(2) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the Central Government or of an officer authorised by that Government in this behalf.

10. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Central Government or an officer or other employee serving in connection with the affairs of the undertaking of the company which is in good faith done or intended to be done under this Act.

11. *Repeal and savings.*—(1) The Asian Refractories Limited (Acquisition of Undertaking) Ordinance, 1971, (Ord. 13 of 1971), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

(देखिये पृष्ठ 2264—2267)

PART II

OFFICE OF THE DEPUTY COMMISSIONER BILASPUR DISTRICT, HIMACHAL PRADESH

NOTIFICATION

Bilaspur, the 19th December, 1974

No. 8-MC-Elec-2/71.—In pursuance of the provisions contained in section 23(1) of Himachal Pradesh Municipal Act, 1968 read with rule 76 of the Himachal Pradesh Municipal Election Rules, 1970, I, Narbir Singh, I.A.S., Deputy Commissioner, Bilaspur, Himachal Pradesh, do hereby, notify the names of the members of Municipal Committee, Shri Naina Devi Ji, District Bilaspur, Himachal Pradesh, declared elected under rules 45 and 75 of the Rules *ibid*, from the ward (constituency) noted against each in Col. No. 2 of

the table below for general information.

S. No.	No. & name of ward (constituency)	Name & address of the members declared elected
1	2	3
1.	1(Devi Ward)	Shri Hari Ram, Village and P. O. Shri Naina Devi Ji (Via-Ganguwal), Tehsil Sadar, District Bilaspur, Himachal Pradesh.
2.	2(Tara Ward)	Shri Nikka Ram, Village and P. O. Shri Naina Devi Ji (Via-Ganguwal), Tehsil

1	2	3	1	2	3
		Sadar, District Bilaspur, Himachal Pradesh.	4.	Chauntra	Shri Sagar Chand, Mohalla Bangotu, Chamba.
3.	3(Kalika Ward)	Shri Jiwa Nand Sharma, Post Office Shri Naina Devi Ji, District Bilaspur, Himachal Pradesh.	5.	Surara	Shri Jai Shankar Prasad, Mohalla Surara, Chamba.
4.	4(Durga Ward)	Shri Ganga Datt Sharma, Village and P. O. Shri Naina Devi Ji, Tehsil Sadar, District Bilaspur, Himachal Pradesh.	6.	Sapri	Smt. Veena Kumari, Mohalla Chauntra, Chamba.
5.	5(Shitla Ward) S.C.	Shri Negi Ram, Village and P. O. Shri Naina Devi Ji, Tehsil Sadar, District Bilaspur, Himachal Pradesh.	7.	Hardaspura	Shri Nidhia Ram, Mohalla Hardaspura, Chamba.
			8.	Julahkari	Shri Swaroop Singh, Mohalla Julahkari, Chamba.
			9.	Dharog (S. C.) (Reserve)	Shri Narain Dass, Mohalla Dharog, Chamba.
			10.	Kasakda	Shri Tej Singh, Mohalla Kasakda, Chamba.
			11.	Chowgan	Shri Madan Lal, Mohalla Chowgan, Chamba.
			12.	Kashmiri	Shri Surender Mohan, Mohalla Charpat, Chamba.
			13.	Sultanpura	Shri Anand Kumar, Mohalla Sultanpura, Chamba.

Place: Bilaspur.
Dated: 18-12-74.

NARBIR SINGH,
Deputy Commissioner, Bilaspur.

OFFICE OF THE DEPUTY COMMISSIONER CHAMBA

NOTIFICATION

Chamba, the 18th December, 1974

No. 13. CBA-14(140)/70-IV-Elec.—In pursuance of the provisions of rule 76 of the Himachal Pradesh Municipal Election Rules, 1970 read with section 23(1) of the Himachal Pradesh Municipal Act, 1968, I, I. K. Suri, Deputy Commissioner, Chamba do hereby notify the election of the following persons as members of the Municipal Committee, Chamba, with immediate effect.

S. No.	Name of the ward from which elected	Name and address of the Candidate elected
1	2	3
1.	Jansali	Shri Kuldeep Chand, Mohalla Jansali, Chamba.
2.	Hatnala	Shri Sardari Lal of Mohalla Charpat, Chamba.
3.	Bangotu	Shri Devender Kumar, Mohalla Chauntra, Chamba.

I. K. SURI,
Deputy Commissioner, Chamba.

OFFICE OF THE DISTRICT MAGISTRATE BILASPUR DISTRICT

ORDER

Bilaspur, the 26th November, 1974

No. F&S/Stn./12759.—In exercise of the powers conferred upon me by clause 3(i) (a) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1974 issued by the Government of Himachal Pradesh vide No. 1144/71-Co-op. (F&S), dated the 7th October, 1974, I, Narbir Singh District Magistrate, Bilaspur District, Himachal Pradesh hereby fix the maximum quantity of the articles specified in Schedule of the said order which may be kept by the dealer in Bilaspur district. This order will come into force at once.

Sl. No.	Name of commodity	Maximum quantity which may be possessed by the dealer.
1	2	3
1.	Wheat and wheat products.	(a) All dealers having no licence under Himachal Pradesh Wheat Dealers Licensing Order, 1974 below 5 quintals at a time.

2

3

1

2

3

(b) All dealers having a licence under the Himachal Pradesh Wheat Dealers Licensing Order, 1974 according to the terms and conditions of the licence issued in this behalf by the licensing authority.

and conditions of licence issued in this behalf.

4. Gur-Shakar & Khandsari (a) Dealer other than a dealer who is holding a licence under the Gur-Khandsari Dealers Licensing Order, 1967 below 10 quintals at a time.

All other foodgrains i. e. Gram, Barley, Rice and Maize including their products.

(a) Dealer other than a dealer who is having a valid licence under the Himachal Pradesh Foodgrains Dealers Licensing Order, 1968 any other at a time below 10 quintals for one foodgrains and below 25 quintals for all foodgrains taken together.

(b) Dealer having a licence under the Gur-Khandsari Dealers Licensing Order, 1967, in accordance with the terms and conditions of the licence issued by the licensing authority.

(b) Dealer having a valid licence under the Himachal Pradesh Foodgrains Dealers Licensing Order, 1968 in accordance with the terms and conditions of the licence issued in this behalf by the licensing authority under the Himachal Pradesh Foodgrains Dealers Licensing Order, 1968.

5. Hydrogenated Vegetable Oils. (V.Ghee) (a) A dealer other than the dealer who holding a licence under the Himachal Pradesh Hydrogenated Vegetable Oils Licensing Order, 1967 below two tins of 16.5 kgs. at a time.

(b) Dealer holding a valid licence under the Himachal Pradesh Hydrogenated Vegetable Oils Licensing Order, 1967 in accordance with the conditions of the licence issued in this behalf by the licensing authority.

Sugar.

(a) Dealer other than a dealer who is holding a valid licence under Himachal Pradesh Sugar Dealers Licensing Order, 1967 below 10 quintals at a time.

(b) Dealer having a licence under the Sugar Dealers licensing Order, 1967 and in accordance with the terms

Note.—This limit shall not be applicable to the production.

NARBIR SINGH,
District Magistrate.

DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Bilaspur:																			
Sadar	—	—	—	—	—	—	—	—	—	—	9.3	—	—	—	—	—	—	—	—
Ghumarwin	—	—	—	—	—	—	—	—	—	—	23.0	—	—	—	—	—	—	—	—
Raghunathpura	—	—	—	—	—	—	—	—	—	2.2	—	—	—	—	—	—	—	—	—
Bilaspur Obs.	—	—	—	—	—	—	—	—	—	—	9.0	—	—	—	—	—	—	—	—
Chamba:																			
Chamba	—	—	—	—	—	—	—	—	—	25.0	53.0	—	—	—	—	—	—	—	—
Ludrera	—	—	—	—	—	—	—	—	—	—	16.0	25.4	—	—	—	—	—	—	—
Chhatrari	—	—	—	—	—	—	—	—	—	—	4.0	—	—	—	—	—	—	—	—
Bhandal	—	—	—	—	—	—	—	—	—	—	25.6	24.0	—	—	—	—	—	—	—
Chowari	—	—	—	—	—	—	—	—	—	—	4.0	3.0	—	—	—	—	—	—	3.0
Bathri	—	—	—	—	—	—	—	—	—	1.5	25.4	—	—	—	—	—	—	—	1.0
Kalatop	—	—	—	—	—	—	—	—	—	—	10.2	39.2	—	—	—	—	—	—	6.4
Bharmour	—	—	—	—	—	—	—	—	—	—	14.5	11.0	—	—	—	—	—	—	2.0
Tissa	—	—	—	—	—	—	—	—	—	—	25.4	2.2	—	—	—	—	—	—	2.2
Bhanota	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kilar	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kangra:																			
Palampur	—	—	—	—	—	—	—	—	1.0	1.0	6.0	—	—	—	—	—	—	—	3.0
Hamirpur	—	—	—	—	—	—	—	—	—	6.4	—	—	—	—	—	—	—	—	—
Dehra	—	—	—	—	—	—	—	—	—	29.3	—	—	—	—	—	—	—	—	8.0
Kangra	—	—	—	—	—	—	—	—	12.3	64.7	—	—	—	—	—	—	—	—	40.0
Dharamsala	—	—	—	—	—	—	—	—	—	11.0	22.0	—	—	—	—	—	—	—	—
Nurpur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Una	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kulu:																			
Kulu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Banjar	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kinnaur:																			
Kilba	—	—	—	—	—	—	—	—	—	11.4	13.2	—	—	—	—	—	—	—	—
Sangla	—	—	—	—	—	—	—	—	10.0	5.0	—	—	—	—	—	—	—	—	22.0
Purbani	—	—	—	—	—	—	—	—	—	1.2	0.2	—	—	—	—	—	—	—	—
Nichar	—	—	—	—	—	—	7.0	13.0	—	15.0	3.0	—	—	8.0	—	—	5.0	—	—
Kalpa	—	—	—	—	—	—	—	—	1.3	0.5	—	—	—	—	—	—	—	—	—
Lahaul and Spiti:																			
Keylong	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kaza	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mahasu:																			
Rampur	—	—	—	—	—	—	—	—	—	—	6.0	—	—	—	—	—	—	—	—
Rohru	—	—	—	—	—	—	—	—	—	—	5.0	—	—	—	—	—	—	—	—
Jubbal	—	—	—	—	—	—	—	—	—	—	4.0	—	—	—	—	—	—	—	—
Chopal	—	—	—	—	—	—	—	—	0.8	1.4	—	—	—	—	—	—	—	—	—
Theog	—	—	—	—	—	—	—	—	—	—	3.5	—	—	—	—	—	—	—	—
Kumarsain	—	—	—	—	—	—	—	—	—	—	2.0	—	—	—	—	—	—	—	—
junga	—	—	—	—	—	—	—	—	—	—	2.0	—	—	—	—	—	—	—	—
Kasumpti	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Solan	—	—	—	—	—	—	—	—	—	10.0	—	—	—	—	—	—	—	—	—
Arki	—	—	—	—	—	—	—	—	—	9.0	—	—	—	—	—	—	—	—	—
Suni	—	—	—	—	—	—	—	—	—	1.0	—	—	—	—	—	—	—	—	—
Kotkhai	—	—	—	—	—	—	—	—	—	4.6	—	—	—	—	—	—	—	—	—
Bashla	—	—	—	—	—	—	—	—	—	7.6	—	—	—	—	—	—	—	—	—
Khadrula	—	—	—	—	—	—	—	—	11.0	—	—	—	—	—	—	—	—	5.0	—
Shillaroo	—	—	—	—	—	—	—	—	4.0	—	—	—	—	—	—	—	—	—	—
Parala	—	—	—	—	—	—	—	8.0	—	1.0	1.0	—	—	—	—	—	—	1.0	1.0
Kotgarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Phancha	—	—	—	—	—	—	—	—	—	26.4	28.2	—	—	—	—	—	—	—	2.6
Mashobra	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rainfall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rainfall from 1-11-70 to 30-11-70	Normal rainfall from 1-11-70 to 30-11-70
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
—	—	14.1	—	—	—	—	12.0	39.1	—	—	—	4	2.3	74.5	41.1	—	74.5	—
4.4	—	17.0	—	—	—	—	12.0	78.2	—	—	—	4	—	130.2	—	—	130.2	—
—	—	10.4	—	—	—	—	5.0	47.7	—	—	—	4	—	69.7	—	—	69.7	—
—	—	10.0	—	—	—	—	—	—	51.0	—	—	4	1.3	76.0	13.5	—	76.0	—
—	—	—	—	—	—	—	—	—	—	—	—	16	—	350.4	—	—	350.4	—
—	—	—	—	—	—	—	—	—	—	—	—	4.0	1.8	87.6	27.3	—	87.4	—
—	12.0	—	—	—	5.6	40.0	50.0	—	—	—	—	6	4.2	185.6	98.3	—	—	—
76.2	—	2.5	—	—	—	14.0	38.1	—	—	—	—	6	3.7	—	78.8	53.0	185.6	—
42.0	—	9.0	2.0	—	—	17.0	26.0	4.0	—	—	—	6	4.1	172.2	63.4	76.2	172.2	—
—	—	5.5	—	—	—	3.4	39.2	63.0	—	—	—	7	5.9	104.0	157.2	42.0	104.0	—
—	4.0	—	—	—	1.5	16.0	24.0	26.0	—	—	—	6	3.3	160.7	72.1	43.0	160.7	—
—	25.4	—	—	—	0.8	0.5	103.1	—	—	—	—	8	3.3	81.5	98.8	36.0	81.5	—
4.0	12.0	11.0	—	—	—	17.7	25.0	33.0	—	—	—	7	4.2	157.7	76.3	103.1	157.7	—
25.4	—	—	—	—	2.6	16.5	18.5	—	—	—	—	7	3.7	—	112.8	—	—	—
—	—	—	—	—	0.8	2.2	25.4	—	—	—	—	9	8.7	158.5	153.6	39.2	158.5	—
—	—	—	—	—	—	—	—	—	—	—	—	7	7.9	67.1	126.3	18.5	67.1	—
—	—	—	—	—	—	—	—	—	—	—	—	7	—	83.6	—	25.4	83.6	—
—	—	—	—	—	—	—	—	—	—	—	—	64.0	—	1170.9	—	—	1170.9	—
—	—	—	—	—	—	—	—	—	—	—	—	7.1	4.2	130.1	97.0	—	130.1	—
—	4.0	1.0	—	—	—	5.0	46.0	—	—	—	—	5	—	67.0	—	—	—	—
8.9	—	—	—	—	—	—	8.9	45.7	—	—	—	4	—	69.9	—	46.0	67.0	—
—	2.5	—	—	—	—	8.3	56.1	—	—	—	—	4	—	101.7	—	45.7	69.9	—
—	—	11.0	2.5	—	2.5	27.5	85.5	—	—	—	—	8	—	235.5	—	56.1	101.7	—
—	—	—	—	—	—	—	23.0	50.0	—	—	—	5	—	117.0	—	85.5	235.5	—
—	—	—	—	—	—	—	—	9.0	—	—	—	1	—	9.0	—	50.0	117.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	9.0	9.0	—
—	—	—	—	—	—	—	—	—	—	—	—	27.0	—	600.0	—	—	600.0	—
—	—																	

DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Mandi:																			
Sadar	—	—	—	—	—	—	—	—	1.0	—	—	—	—	—	—	—	—	—	3.7
Jogindernagar	—	—	—	2.0	2.0	—	—	—	—	—	25.0	—	—	—	—	—	—	—	8.7
Sarkaghat	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chachiot	—	—	—	—	—	—	—	—	3.2	12.4	—	—	—	—	—	—	—	—	3.4
Sundernagar	—	—	—	—	—	—	—	—	—	—	19.8	—	—	—	—	—	—	—	12.8
Karsog	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bhangrotu	—	—	—	—	—	—	—	—	2.0	—	—	—	—	—	—	—	1.0	—	—
Jhungi	—	—	—	—	—	—	—	—	4.0	2.0	—	—	—	—	—	—	3.0	—	—
Janjehli	—	—	—	—	—	—	—	—	3.0	—	—	—	—	—	—	—	—	—	7.0
Panjain	—	—	—	—	—	—	—	—	6.0	5.0	—	—	—	—	—	—	—	—	10.0
Kataula	—	—	—	15.3	—	28.2	—	—	8.4	—	—	—	—	—	45.3	—	—	—	—
Mandi Obs.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.R.	N.R.	N.R.	N.R.	N.R.
Simla:																			
Simla	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kandaghat	—	—	—	—	—	—	—	—	—	6.3	6.3	—	—	—	—	—	—	2.5	—
Kasauli	—	—	—	—	—	—	—	—	—	—	1.5	—	—	—	—	—	—	—	—
Nalagarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sirmur:																			
Nahan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	20.0	—	—
Paonta	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Renuka	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.0
Pachhad	—	—	—	—	—	—	—	—	—	4.0	—	—	—	—	—	—	—	—	—
Bagthan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dhaulta Kuan	—	—	—	—	—	—	—	—	—	—	8.5	—	—	—	—	—	—	—	—

Y, 1971

20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	Number of rainy days	Normal No. of rainy days	Total rainfall for the month	Average rainfall for the month	Heaviest rainfall during the month	Total rain from 1st to 28th	
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
—	—	7.0	—	—	4.0	5.0	—	6.0	—	—	—	3	3.3	15.0	51.1	6.0	15.0	—
—	—	—	—	—	—	8.0	8.0	10.0	—	—	—	5	3.7	41.0	71.9	10.0	41.0	—
—	—	—	—	—	—	25.0	20.0	—	—	—	—	4	3.3	76.0	55.9	25.0	76.0	—
—	13.4	—	—	—	—	—	5.4	45.4	—	—	—	6	3.0	—	51.9	—	—	—
—	3.5	—	—	—	—	—	—	34.6	—	—	—	4	3.4	83.2	59.0	45.4	83.2	—
—	—	—	—	—	—	—	—	—	—	—	—	4	2.8	70.7	47.5	46.0	70.7	—
—	—	—	—	—	—	—	4.0	—	—	—	—	1	3.1	7.4	47.6	4.0	7.4	—
—	—	—	—	—	—	—	6.0	—	—	—	—	3	3.7	15.0	73.7	6.0	15.0	—
—	—	—	—	—	—	12.0	—	—	—	—	—	3	2.5	22.0	47.0	12.0	22.0	—
—	5.0	—	—	2.0	5.0	10.0	5.0	—	—	—	—	7	2.5	48.0	34.6	10.0	48.0	—
N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	—	—	N.A.	4	2.2	97.2	35.6	—	97.2	—
—	—	—	—	—	—	—	—	—	—	—	—	2.5	2.5	N.A.	30.1	—	N.A.	—
—	—	—	—	—	—	—	—	—	—	—	—	39	—	475.5	—	—	475.5	—
—	—	—	—	—	—	—	—	—	—	—	—	4.0	3.0	47.5	50.5	—	47.5	—
8.9	6.3	6.3	—	—	—	5.1	6.3	50.8	—	—	—	9	—	—	—	—	—	—
—	10.2	11.4	—	—	—	—	—	12.9	—	—	—	3	—	98.8	—	50.8	98.8	—
—	—	7.0	—	—	—	—	27.0	—	—	—	—	2	—	36.0	—	12.9	36.0	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	34.0	—	27.0	34.0	—
—	—	—	—	—	—	—	—	—	—	—	—	14	—	168.8	—	—	168.8	—
—	—	—	—	—	—	—	—	—	—	—	—	5.0	—	56.3	—	—	56.0	—
—	8.0	—	—	—	—	—	24.0	—	—	—	—	2	2.2	67.0	33.1	47.0	67.0	—
—	—	—	—	—	—	—	21.0	—	—	—	—	2	2.0	29.0	30.0	21.0	29.0	—
—	—	17.0	—	—	—	—	9.0	46.0	—	—	—	4	2.0	77.0	37.6	46.0	77.0	—
—	—	6.0	—	—	—	—	5.0	36.0	—	—	—	4	2.3	51.0	40.6	36.0	51.0	—
—	—	4.5	—	—	—	—	1.5	26.5	—	—	—	3	2.2	41.0	31.6	26.5	41.0	—
—	—	—	—	—	—	—	—	—	—	—	—	15	—	265.0	—	—	265.0	—
—	—	—	—	—	—	—	—	—	—	—	—	3.0	2.1	53.0	34.6	—	53.0	—

